

## MINUTES FOR APRIL 3, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, April 3, 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 7:44 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, 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 5:00 p.m. prior to the meeting to discuss litigation matters regarding Orleans RJ PA-IL, LP vs Valley Township (2017-04086-MJ)/Valley Township vs Orleans RH PA-IL, LP (2017-06089-CT); followed by a regular Executive Session to discuss personnel 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. Sciandra – yes; Ms. Proctor – yes.

### CITIZEN'S COMMENTS:

Victory Sports Presentation – Mr. Michael Riddick CFO of Victory Sports, presented an overview of a project for a Victory Sports facility which is being proposed within the City of Coatesville/Valley Township parcel known as “The Flats”. The complex would include a two-story indoor facility and outside fields. There would be turf training areas, spectator seating, training areas, community space, and weight lifting. Possible employment would be 225 jobs. He stated that they are looking at local commitment and the purchase of property, ideally 40 to 100 acres. There was discussion regarding traffic impact noting that two separate entrances would be required. Mr. Sciandra inquired about the timeline. Mr. Riddick stated that they are hopeful to acquire the land in May 2018 and a build out of 26 to 32 months. It was noted that they would not want to compete with United Sports Training Center (USTC) but rather focus on what USTC doesn't offer – more cheer, basketball and gymnastics tournaments versus USTC's soccer program. Mr. Riddick noted that the capital cost was \$45 million to \$62 million and that they are fully financed.

Vincent Taliercio – Mr. Taliercio requested that water service be turned on at 81 Murfield Court for a home inspection for a prospective buyer. It was noted that the property is currently shut off due to non-payment of the second quarter 2017 water bill and the amount due is \$1,309.53. Mr. Taliercio requested that the water be turned on for a U&O inspection and that the pending sale is a short sale. After discussion, **Ms. O'Doherty made a motion that the water could be turned on for the inspection with 48-hours notice and that the \$100 turn on/turn off fee would need to be made prior to the water being turned on. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Jesemia Gonzalez, 137 Mineral Springs – Ms. Gonzalez noted that she is trying to sell her home and the well will not pass inspection. She would like to connect to public water and noted that she has an easement through a neighbor's property to run the line. Mr. Rasiul reviewed how she would connect noting there is a 10" line that borders Route 30 and reviewed the connection process. He noted that she would need to show evidence of the easement if the connection would be going through a neighbor's property as well as a more detailed drawing.

**OLD BUSINESS:**

Discussion to follow up on Jameel Ansari's light complaint at 8 Donna Drive – Mr. and Mrs. Ansari were present following up on his comments to the Board of Supervisors at their March 6, 2018 meeting. Mr. Sciandra noted that the Board of Supervisors were given copies of the file to review and will not be doing anything further. Ms. O'Doherty stated that between the letters issued on February 23, 2017 and August 2, 2017, the Code Officer inspected the lights at 8 Donna Drive and noted that there was compliance. She noted that the August 2, 2017, letter states that any further disagreements will need to be resolved as a civil matter between the two property owners. Mr. Ansari reviewed the information that he had presented at the March 6, 2018, meeting and recapping the timeline of events. After continued discussion, Mr. Sciandra reiterated that the Board has done everything they can do.

Robinson Avenue Bollards – Mr. Sensenig, 80 Robinson Avenue, noted that another truck ran over another bollard. It was noted that a claim had been made against the trucking company that had taken down some of the bollards last year. Mr. Lehenky advised that the public works department would be addressing the issue. Mr. Sciandra noted that he believed that the entrance to Robinson was to be closed, except for emergency response vehicles, when the Roundhill Development went in. It was suggested to pull the documentation and review.

Discussion/consideration to set a date to hold a public hearing to consider the adoption of a proposed Zoning Ordinance Amendment adding a definition for Casino and adding Casino as a conditional use – **Mr. Sciandra made a motion to hold a public hearing to consider the adoption of a proposed Zoning Ordinance Amendment regarding "Casino" on May 9, 2018, at 7:00 p.m. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**NEW BUSINESS:**

Discussion/consideration to approve Escrow Release #3 for Oakcrest Phase 2 in the amount of \$263,883.44 – Based on the Township Engineer's recommendation, **Ms. O'Doherty made a motion to approve the Oakcrest Phase 2 Escrow Release #3 in the amount of \$263,883.44. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to release Escrow Funds for New Horizon Ventures – Mr. Jarvis reported that the developer of the New Horizon Ventures subdivision of the property who will be purchasing the property as one parcel, not two developed lots as approved. Mr. Jarvis would like

to see the following language incorporated into the deeds where a property owner is combining contiguous residential parcels:

*Provided, the above described parcel shall not hereafter be subdivided without the grantee's(s') first submitting a subdivision application to the Township of Valley ("Township"), to assure compliance with all then-current Township ordinances, as well as the rules and regulations of any other governmental entity having jurisdiction over such subdivision or related matters. Final and unappealable subdivision approval by Township, together with compliance with all conditions of such approval, shall be required of the grantee(s) prior to the conveyance by them of any portion of the parcel, but shall not be required for the conveyance of the entirety of the parcel. These conditions shall be deemed to run with the land, thereby binding all subsequent owners.*

Mr. Rasiul noted that Pennoni's records and the Township's notes that the balance in the Public Improvement Escrow Account is \$62,500. The developer is requesting release of \$76,000. The Township Secretary advised that the township records show outstanding professional fees that were billed out in 2007 and possibly a few subsequent invoices.

**Mr. Sciandra made a motion to table any decision regarding escrow fund release until numbers can be confirmed. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**Mr. Sciandra made a motion to forward Mr. Jarvis' suggested language to be incorporated into the deed in order to allow the developer to proceed to settlement upon verification that the wording is added. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to award the Manor Road Storm Sewer and Road Rehabilitation Project – Mr. Rasiul review the bid tabulation and Pennoni's recommendation. **Based on the recommendation of the Township Engineer, Ms. O'Doherty made a motion to award the Manor Road Storm Sewer and Road Rehabilitation contract to Mecco Constructors, Inc. for the Base Bid and Add Item 25, for the double solid yellow line of hot thermoplastic pavement markings along the centerline of Manor Road, for a total award amount of \$279,470. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Rasiul noted that his office had contacted the County who confirmed that funding that will left from the Sucker Run project could be transferred to the Manor Road project.

Discussion/consideration regarding PennDOT's Cooperative Agreement for Early Action Intelligent Transportation Systems (ITS) for US 30 Coatesville/Downingtown Bypass Reconstruction Project – A cooperative agreement was received from PennDOT. **Mr. Sciandra made a motion to enter into the Cooperative Agreement with PennDOT for an Early Action ITS for the US 30 Coatesville/Downingtown Bypass reconstruction project with**

**respect to the traffic light at Business Route 30 and Airport Road. Mr. Lehenky seconded the motion.** \_Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**ENGINEER’S REPORT:**

Mr. Rasiul reviewed and submitted the engineer’s reports for March 20, 2018 and April 3, 2018, which are on file at the Township Office.

At this time, Mr. Rasiul departed the meeting.

**SOLICITOR’S REPORT:**

Attorney Jarvis reported on the following items:

- Mr. Jarvis reported that he is still working with Verizon Wireless’ agent for finalizing a lease for space on the Township’s water tower.
- Mr. Jarvis noted, as reported earlier, that he drafted language regarding deed restrictions where a property owner is combining contiguous residential parcels.
- Mr. Jarvis reported he had correspondence with Joanne Voelcker and Mr. and Mrs. Saha regarding their conditional use applications which have all been withdrawn.
- Mr. Jarvis reported that the Declaration of Permanent Easement was recorded.
- Mr. Jarvis reported that he reviewed and drafted a proposed response to Pleasant Valley Subdivision’s *Petition to Open and Lay Out Burgundy Lane* which was addressed at the Board’s March 29, 2018 meeting.

At this time, Mr. Jarvis departed the meeting.

**OLD BUSINESS CONTINUED:**

Discussion/consideration to advertise for Planning Commission Vacancy -- The Board concurred to advertise the vacancy through the Township’s website, at the office, and through an eMail notification to the Homeowner’s Associations that we have on record.

**NEW BUSINESS CONTINUED:**

Consideration/discussion to purchase new firearms for police department – A proposal for new firearms was presented. The duty firearm we have selected is the 40 caliber 4<sup>th</sup> generation glock 22 which is the same caliber that the department currently carries. The Glock 22 is a slightly larger firearm and will require new holsters. There are options with the holsters in relation to the weapon mounted lights. This will be an officer preference choice; therefore, the quotes, depending on which holster is chosen, would be between \$4,625 to \$5,858. **Mr. Sciandra made a motion to approve the purchase of new Glock 22 firearms and holsters from the Officer Store (Witmer Public Safety Group) at a cost of \$4,625 to \$5,858. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to consolidate the copier maintenance agreements into one agreement and authorize annual maintenance agreement of \$5,872.07 – It was noted that our four current leased copiers are each on their own maintenance agreement. A proposal was reviewed to combine all four maintenance agreements into one and to increase the total annual volume to a more realistic number. **Mr. Sciandra made a motion to approve a combined maintenance agreement with Stratix in the amount of \$5,872.85. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to extend an offer of employment to part-time officer candidates – **Mr. Sciandra made a motion to extend offers of employment for the position of part-time police officer to three candidates contingent upon their background checks, physical, psychological and drug screening being satisfactory at a pay rate of \$17.39 to start; \$17.89 after successful completion of their six-month probationary period; and \$18.39 after one year of service. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to extend an offer of employment for the position of Assistant Clerk I – After discussion, **Ms. O’Doherty made a motion to extend an offer to the candidate that the three Supervisors who did the interviews agree upon contingent upon their background check, physical, and drug screening being satisfactory. Ms. Sciandra seconded the motion.** Question: Mr. Lehenky – abstain; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**APPROVAL OF MINUTES:**

**Ms. O’Doherty made a motion to table the minutes of the March 29, 2018 meeting. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Sciandra noted that there is a meeting regarding a possible grant for Wagontown Road being held on April 4, 2018 at 3:00 p.m. at Valley Township. He also noted that there is a Construction Owners meeting for the new township building scheduled for April 5, 2018 at 10:00 a.m. at the construction site and that there are seven change orders that are forthcoming for electrical.

**CITIZEN’S COMMENT:**

None

There being no further business, the meeting was properly adjourned. The meeting adjourned at 10:34 p.m.

Janis A. Rambo  
Secretary/Treasurer