

MINUTES FOR SEPTEMBER 4, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, September 4, 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 7:35 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, William Handy, Sr., Joe Sciandra, and Patrice Proctor. Also in attendance were Frank Williamson, Jr., Interim Township Manager (Arro Consulting); Edward F. Rasiul of Pennoni Associates, Inc. (Township Engineer) and Alan J. Jarvis, Esquire and Amanda Sundquist, Esquire, of Unruh, Turner, Burke & Frees (Township Solicitors). The Board of Supervisors met in executive session prior to this evening's meeting at 6:30 p.m. to discuss personnel issues.

Ms. Sundquist, of Unruh, Turner, Burke and Frees, was introduced to the public. It was noted that she and Andrew D.H. Rau were the two attorneys who would be representing the Township from their firm as the Township begins the transition from Mr. Jarvis who is retiring in October.

CITIZENS COMMENTS ON THE AGENDA:

None.

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

BOARD GENERAL COMMENTS:

Ms. Proctor announced that Valley Day will be held on Saturday, September 29, 2018, from 12:00 to 5:00 p.m. across from the Highlands Corporate Center on Airport Road. Rain date is Sunday, September 30.

CITIZEN'S COMMENTS:

Theresa Smith & John Schmidt, 50 Robinson Avenue – Ms. Smith and Mr. Schmidt inquired about the Robinson Avenue and Airport Road Survey. As this subject was on the agenda under "Manager's Report, Item 6", Mr. Williamson distributed a tabulation of the surveys to the Board of Supervisors. It was noted that 230 surveys were mailed and 102 (44.35% return). Survey data was presented by the three options on the survey; by street/road listed on the return; by individual street; and breakdown of response of the Robinson/Oaklyn streets versus the remaining surveyed streets. Mr. Williamson stated that there were numerous comments made on the surveys, but that he is still going through and compiling those comments.

Mr. Sensing of Robinson Avenue stated that he believes a decision was made in 2004 and presented the Board with a copy of a Planning Commission resolution that was adopted on October 12, 2004. There was discussion of the narrow streets and associated problems. Ms.

Smith inquired if an option was looked at to close Buckthorn at Tuxford and Oaklyn. After discussion, it was noted that this option would be looked at.

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

Ms. O’Doherty made a motion to add to the agenda under Old Business, #3, “Consideration to extend Hill International’s contract to October 10, 2018”. Mr. Handy seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Ms. Proctor – yes.

Mr. Sciandra rejoined the meeting.

Ms. O’Doherty made a motion to add to the agenda under Manager’s Report, #8, “Consideration to schedule Manager interviews”. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

OLD BUSINESS:

Discussion/consideration to extend the contract of Hill International until December 1, 2018 – As per the earlier motion to consider Hill International’s contract extension to October 10, 2018, the Board discussed extending the contract, at this time, for an additional month only. **Mr. Sciandra made a motion to extend the contract with Hill International to October 10, 2018. The motion was seconded by Mr. Lehenky.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration with regards to the application for Conditional Use of Pilquist Enterprises Inc. for accepting their extension to October 2, 2018 and to schedule the conditional use hearing – Mr. Jarvis noted that nothing additional has come in to support their application describing the operation, the adjoining properties, etc. It was noted that Pilquist had retained Michael Gill of Buckley, Brion to represent them and that an extension letter was issued granting an extension to hold the hearing to October 2, 2018. The applicant is scheduled to appear at the September 11 Planning Commission meeting. It was requested to have Unruh Turner’s office contact the applicant if no additional information is provided in order to write the advertisement for the hearing. **Ms. O’Doherty made a motion to accept the extension of the time period within which the Board of Supervisors’ hearing on that matter must commence to October 2, 2018. Mr. Lehenky seconded the meeting.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Sciandra made a motion to schedule the Conditional Use Hearing for Pilquist Enterprises Inc. for October 2, 2018 at 6:30 p.m. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

SOLICITOR'S REPORT:

Attorney Jarvis reported on the following:

- Mr. Jarvis reported that he was able to obtain copies of the Township's ordinances from the Chester County Law Library that have been copied by Township staff. He will return the Law Library's copies back to them. This will ensure that the Township is in possession of the ordinances passed that may not have been filed in the Ordinance books.
- Mr. Jarvis reported that he met with Mr. Rau and Ms. Sundquist regarding transition items.
- Mr. Jarvis reported that he received the proposed water tower lease from Cellco (representing Verizon Wireless). He noted that they were not signed by Cellco and he noted some changes were not incorporated as requested, especially with regards to their access to the water tower. Mr. Jarvis stated that he turned the proposed lease over to Mr. Rau to review.
- Mr. Jarvis reported that he pulled copies of the Deeds of Dedication filed since 1966 from the Recorder of Deeds office and copies were made. He will be reviewing these with Mr. Rasiul and Mr. Ellis of Pennoni.

Attorney Sundquist reported on the following:

- Ms. Sundquist reported that the Township's Franchise Agreement with Verizon, which will be coming up for renewal, was also provided to her office when meeting with Mr. Jarvis. She noted that this is one of Mr. Rau's specialties.
- Ms. Sundquist reported that her office began looking at ownership of roads and easements with regards to the Pugh property as requested at the last meeting.
- Ms. Sundquist noted that her office reviewed the Tradesmen International contract and responded with a few comments.

At this time, Mr. Jarvis and Ms. Sundquist departed the meeting.

ENGINEER'S REPORT:

Engineer's Report - Mr. Rasiul reviewed and submitted the engineer report which is on file at the Township Office.

Mr. Rasiul noted that there is an upcoming meeting of the Christina Watershed on October 22, 2018, being held at the West Goshen Township Building. He inquired if he should attend.

Discussion/consideration to award to a qualified, low bid contractor following receipt of three written quotes for no more than the remaining budget of approximately \$13,000 for the concrete walkways and step transition work for the Manor Road Project – Mr. Rasiul noted that they have received one quote for the concrete walkways and steps on Manor Road. They are trying to get two additional quotes. As they would like to have this work done while the signage is still up for the project, they would like to be able to award this work as soon as they are able to obtain

quotes. **Ms. O’Doherty made a motion to authorize an award to a qualified, low bid contractor for no more than the remaining budget of \$13,000 for the concrete walkways and step transition work for the Manor Road Project. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

The Board of Supervisors concurred that Mr. Rasiul should attend the Christina Watershed meeting on October 22. Mr. Rasiul also mentioned that a Christina Basin tour is being held on Friday, September 7, from 9:00 am to 4:30 pm. The tour visits sites that show projects for stream restoration, stormwater management, and wetland restoration in both Chester County and New Castle County, Delaware. Cost is \$10. Ms. O’Doherty requested that the EAC members be contacted to see if they would have an interest in the tour and for the Township to cover the cost if they would like to attend.

At this time, Mr. Rasiul departed the meeting.

MANAGER’S REPORT:

Consideration of State Treasury unclaimed property – Mr. Williamson noted that there are five items listed at under \$100 in the Township’s name with the PA State Treasury Unclaimed Property and one item listed as under \$100 in the police department’s name, and one item listed at over \$100 in the name of the Township’s water fund. **Mr. Sciandra made a motion to authorize the Chairwoman to sign the three claim request forms. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration of Ken’s Towing request – Mr. Williamson reported that Ken’s Towing sent a letter requesting to be placed back on the Police Department’s towing list. Mr. Williamson advised that they had to go off the towing rotation due but advised that they have all their insurances and are again operational. At the present time, the Police Department is utilizing two other tow companies in the rotation – Fling’s Towing and Gazzero’s Towing. **Mr. Handy made a motion to add Ken’s Towing to the police towing rotation. Ms. O’Doherty seconded the motion.** Question: Mr. Sciandra noted concerns that he had noting their “in and out of business” and safety issues, he believes, with their staff when working with first responders. Ms. O’Doherty advised that since this is the first that she is hearing of any issues, that the Township have a meeting with them to discuss concerns like we did a few years ago. After additional discussion, **Mr. Handy withdrew his original motion and moved that Valley Township meet with Ken’s Towing to discuss concerns and following the meeting add them to the rotation on a probationary basis and re-evaluate in three months. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – nay; Ms. Proctor – yes.

Mr. Lehenky said that he would meet with representatives of Ken’s Towing representing the Board of Supervisors. Ms. O’Doherty suggested that Mr. Williamson sit in on the meeting and the Township Secretary take notes from the meeting.

Discussion/consideration regarding training request for Kris Lenhart – Mr. Williamson reported that the Chester County Conservation District participated in the Dirt, Gravel and Low Volume Road Maintenance Program. He noted that Concord Alley meets the requirements of this program. In order to be eligible for this grant program, we have to have at least one person attend a two-day training class called *Environmentally Sensitive Road Maintenance Workshop*. The closest of the three remaining classes will be held on October 17 and 18 in Williamsport. The hotel rate would be \$103.20 per night and two nights would be needed. **Mr. Lehenky made a motion to authorize Kris Lenhart to attend the *Environmentally Sensitive Road Maintenance Workshop* on October 17 and 18 and to pay for travel/lodging expenses. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding training request for police – Mr. Williamson provided information regarding Teaching, Educating and Mentoring (or TEAM) training class. TEAM provides a K-12 curriculum to the officers. The program is flexible and they encourage the officers to make the program fit their state and community’s needs. Training will be conducted at the Lower Allen Township Police Department in Camp Hill from October 8 through 11. OIC Canale has requested that Officers Chieffo and Duca attend. Cost is \$125 per officer, plus mileage – unless a police vehicle is available for use – and lodging. Ms. O’Doherty noted concerns regarding additional training programs for a part-time officer relative to the monetary investment and the risk of them leaving the Township’s employ for full-time work. It was noted that an Agreement could be developed that if an officer leaves within a certain time frame after training, repayment be made back to the Township. **Mr. Lehenky made a motion to authorize TEAM training for Officer Chieffo and Officer Duca to include travel and lodging expenses. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

It was also requested that consideration be made to allow officers to attend the Fire Arm Training Simulator (FATS) at the Chester County Department of Emergency Services Training Center at a cost of \$25 per officer. **Mr. Lehenky made a motion to authorize officers to attend the Fire Arm Training Simulator course at the Chester County Department of Emergency Services Training Center at a cost of \$25 per officer. Mr. Handy seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration for DCED Early Intervention Plan – Mr. Williamson noted that the Early Intervention Program (EIP) is a state-sponsored program to help municipalities with operational and fiscal planning. The costs are usually covered in a 50/50 or 60/40 grant from the Commonwealth. Mr. Williamson requested feedback before time researching the grant and coordinating with PA DCED was spent. Mr. Sciandra inquired if the Township proceeded with an application now, would any incurred costs be needed this year or would it fall into 2019 for budgeting purposes. Mr. Williamson stated that any initial costs would be in 2019. The Board concurred to look into the EIP program.

Ratification of agreement with Tradesmen International for temporary laborer help – Mr. Williamson advised that contract changes that were given to the Solicitor on Friday are not back

yet. Mr. Williamson requested consideration to sign a contract with Tradesmen International for temporary laborer help at a rate of \$33 an hour pending the Solicitor's satisfaction with the contract and to authorize the Chairwoman to sign the credit application. **Mr. Lehenky made a motion to approve the contract with International Tradesmen, contingent upon the Solicitor's satisfaction with the contract language, not to exceed \$33 per hour for temporary laborer help. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes. **Mr. Handy made a motion to authorize the Chairwoman to sign the credit application. Ms. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to set initial interview times with township manager applicants – After discussion, the Board agreed to meet on September 19 and 20 with applicants for the position of township manager. Interviews will begin at 6:30 p.m. both evenings. Board members were asked to provide names of the applicants that they would like to interview to Mr. Williamson by September 7.

During the discussion, Mr. Lehenky stepped out of the meeting.

Mr. Sciandra made a motion to add under the Manager's Report, #9, consideration to hire laborers. Ms. O'Doherty seconded the motion. Question: Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to extend offers of employment to two laborer candidates – Mr. Williamson advised that he, the Roadmaster, and the Lead Worker I met with several laborer applicants. At this time, Mr. Lehenky rejoined the meeting. **Ms. O'Doherty made a motion to extend two offers of employment to two laborer candidates as recommended by the Roadmaster, Interim Manager, and Lead Worker I, contingent upon background check, physical, and drug screening. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

NEW BUSINESS:

Discussion/consideration to hold annual Holiday Staff luncheon – **Ms. O'Doherty made a motion to hold the annual holiday staff luncheon on Friday, December 14, 2018, at the Coatesville Moose at 12:00 noon. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

APPROVAL OF MINUTES:

Mr. Handy made a motion to approve the minutes of the August 21, 2018, meeting. Mr. Sciandra seconded the motion. Question: Mr. Lehenky – abstain; Ms. O'Doherty – abstain; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

MOTION TO PAY BILLS:

Mr. Lehenky made a motion to pay bills as presented. Mr. Sciandra seconded the motion.

Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

CITIZENS COMMENTS:

None

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

Janis A. Rambo
Secretary/Treasurer