

## **MINUTES FOR MARCH 19, 2019 VALLEY TOWNSHIP BOARD OF SUPERVISORS**

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, March 19, 2019, at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Vice Chairwoman Kathy O'Doherty at 7:30 p.m. Those in attendance were Supervisors Kathy O'Doherty, Joe Sciandra, and William H. Handy, Sr. Supervisors Patrice Proctor and Christopher Lehenky were absent. Also in attendance were Carol R. Lewis, Township Manager; Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer); and Andrew D.H. Rau, Esquire, of Unruh, Turner, Burke & Frees (Township Solicitor).

Ms. O'Doherty noted that the Board of Supervisors met in Executive Session at 6:00 p.m. to discuss matters of personnel, real estate, and litigation. Ms. O'Doherty also commented on the recent *Meet & Greet* held on March 13, 2019, for Township Manager Carol Lewis and Police Chief Brian Newhall. She noted it was very well attended and thanked everyone involved with the event including Westwood Fire Company who gave us use of their banquet hall for the event.

At this time, Township Manager Carol Lewis read a *Letter of Commendation* to Westwood Fire Company and EMS for their response to the Township on two occasions for CO2 investigation and to evaluate township staff.

### **CITIZENS COMMENTS ON THE AGENDA:**

None

### **DEPARTMENT REPORTS:**

Public Safety – Chief Newhall provided the monthly report for February 2019. He reported that he submitted a grant through the Department of Delinquency for computer assistance this afternoon. Chief noted that the new department patches were received and showed a sample that the department will transition to. A traffic study is to begin on Buckthorn Lane within the next day or two. He also reviewed action being taken to start the process of accreditation to include the development of a *Value, Vision and Mission* statements. Chief reported that he will be attending an accreditation conference next week.

Chief Newhall reported that at the request of Ms. Lewis he checked with the County to see if prisoners could assist on cleaning up the streets. He advised that they no longer have that program but Adult Probation does.

It was noted that police job descriptions are being developed in the same format that Ms. Lewis is using for all other township job descriptions.

- Consideration to approve removing Officer Vaughn from probationary status – Chief Newhall noted that Officer Vaughn was sworn in on July 17, 2018. He has now completed his six-month probationary period as a part-time officer and recommends that he be moved to regular, part-time status as he has met all criteria. **Mr. Sciandra made a motion, seconded by Mr. Handy, to remove Officer Vaughn from probationary status to regular, part-time status and to approve a \$0.50 increase in pay to \$17.89 per hour retroactive to January 17, 2019.** The motion passed unanimously.
- Discussion/consideration regarding Promotional Process Procedure – Chief Newhall presented a *Promotional Process Procedure*. Mr. Sciandra noted that he did not see the eligibility requirements, such as full-time/part-time status, noted in the procedure. Chief Newhall stated that those requirements would be stipulated in the job description. After discussion, **Mr. Sciandra made a motion, seconded by Mr. Handy, to accept the Promotional Process Procedure as provided to the Board of Supervisors on March 19, 2019.** The motion passed unanimously.

Fire/EMS – Chief Sly was in attendance representing Westwood Fire Company and EMS. As he was not present at the beginning of the meeting, Ms. Lewis read the *Letter of Commendation* that was read at the beginning of the meeting.

The monthly reports from Westwood Fire Company and Westwood Ambulance/EMS were reviewed. It was noted that there were 22 calls for the fire company in February, of which 14 were in Valley Township, and there were 92 calls for EMS during February, of which 51 calls were in Valley Township. Station 144 responded to 121 EMS calls during the month. Chief Sly also reported that the ambulance fund drive mailer is out; a new ambulance has been ordered; and he reported that the second-floor expansion at the fire house has received their approval from the Codes Department.

Emergency Management – Mr. Sciandra noted that he and the Deputy EMC participated in quarterly training. He also noted that an eight-week CERT class will start the first Monday in April and encouraged anyone who has not taken the class to do so.

## **PLANNING COMMISSION:**

Bruce Manning reported on the Planning Commission's March 12, 2019, meeting. A copy of the draft minutes from that meeting was distributed to the Board. Mr. Manning reported that Airport Diner was present to respond to Pennoni's latest review letter dated March 8, 2019. The Planning Commission voted to recommend final plan approval contingent upon the applicant addressing all items in Pennoni's review letter, in addition to providing the concrete pad, consistent fencing material, 6-foot high fencing, and bollards to the dumpster area, and providing a concrete precast manhole 7. He noted that Planning Commission also recommended approval of the waiver to combine the preliminary and final plans. Mr. Manning stated, however, that as a follow up to his recommendation to the Board last month for the Board to consider certain standards, he definitely believes this should be done with regards to dumpster enclosures after seeing what the Airport Diner had proposed. He noted, however, that the applicant was agreeable to revise the trash dumpster enclosure to include a wooden fence (cedar, privacy) around all sides including the gate and that it would be six-foot tall. The proposed paved surface

will be replaced with concrete. Mr. Manning stated that he would like to see a standard for the bollards as well. Airport Diner was agreeable to include bollards inside to protect the fencing in case of impact.

Mr. Manning stated that Amycel was also present at the meeting. All items in Pennoni's March 8, 2019, review letter had been addressed. Amycel also had asked for a waiver to combine preliminary and final plan into one submission. The Planning Commission voted to recommend approval of the waiver and conditional final approval upon satisfying the March 8, 2019 Pennoni review letter and address the crossover trench, typos, and Drawing CO 3.3.

The Board of Supervisors asked the Planning Commission to develop, for consideration, trash dumpster and bollard standards.

### **CITIZEN'S COMMENTS:**

Jim Redding, Valley View Business Park – Mr. Redding was in attendance regarding the pump station upgrades. It was suggested that once the planning modules are approved, a written agreement be developed. Mr. Ellis reviewed the permitting process with the Board. It was noted that the Business Park is approximately 90 acres. To date, 50 acres is built out and with Lot 7 's ten acres (proposed Amycel), 70% of the Business Park will be built out. Lots 6 and 8 will be the last 30% of the Business Park. Mr. Ellis advised that Pennoni has completed a Sewage Facilities Planning Module for Lot 7 (Amycel). Mr. Ellis noted that All County will need to submit to DEP additional information to explain how the existing Valley View Pump Station will be upgraded and re-permitted to handle a full build out of the business park. All County and Amycel will need to collaborate regarding the projected EDUs for the business park and the proposed upgrades to the pump station for inclusion in Amycel's Planning Module.

Consideration to approve Resolution for Sewer Planning Module for Amycel (Agenda Item, Engineer's Report, Item B) – A DEP Resolution for Plan Revision for New Land Development was present to the Board of Supervisors for Amycel, Inc. A review letter was distributed to the Board from Pennoni Associates dated March 19, 2019, for the Amycel Agricultural Support Building for Sewage Facilities Planning Module. **Mr. Sciandra made a motion, seconded by Mr. Handy, to approve the Resolution for Plan Revision for New Land Development for Amycel, Inc. contingent upon all items are addressed in Pennoni Associates' review letter of March 19, 2019.** The motion passed unanimously.

### **SOLICITOR'S REPORT:**

Mr. Rau noted that most updates were presented in Executive Session regarding personnel, real estate, and matters of litigation.

Mr. Rau reported that the Orleans/Hillview settlement is being reviewed. There are three outstanding documents that are needed but the documents may begin to be circulated but he would not recommend to the Board of Supervisors to sign anything until all required documents are received.

Mr. Rau noted that Devon Services is being scheduled with the Court; however, the case should be continued as work is ongoing outside of court and should be continued.

Mr. Rau noted that the Board will consider a waiver request to extend the 90-day plan recording for Valley Suburban until December 31, 2019. Mr. Rau recommended that the Board consider granting the waiver as the timeframe is reasonable considering the various third party permits that need to be obtained.

Discussion/consideration to adopt SALDO amendment (Agenda Item, Engineer's Report, Item F) – Mr. Handy made a motion, seconded by Mr. Sciandra, to adopt Ordinance 2019-01, an ordinance amending Chapter 22 of the Code of Ordinances of Valley Township amending definitions and establishing standards for Riparian Buffers, Access Management, Site Landscaping, Speed Bumps, and Pedestrian Accessibility (Subdivision and Land Development Ordinance). The motion passed unanimously.

At this time, Mr. Rau departed the meeting.

#### **ENGINEER'S REPORT:**

Mr. Ellis submitted the engineer's report which is on file at the Township Office.

- Hillview – Mr. Ellis reported that Pennoni has performed Phase II inspections and will start inspecting stormwater and sanitary improvements.
- Oakcrest Phase II – Mr. Ellis reported that a complaint was received regarding a sinkhole under the sidewalk. He noted that the developer had a crew respond and upon excavation there was a very high level of groundwater. Pennoni requested the developer to install an underdrain pipe. Awaiting a response.
- Hemlock Avenue Bridge Replacement – Mr. Ellis noted that a pre-application meeting with DEP has been scheduled for March 21.
- Pugh Property – Mr. Ellis reported that a Feasibility Study had been completed and forwarded to the Board of Supervisors. Ms. Lewis noted that a copy was forward to the Coatesville City Manager, Mr. Trio. As she has not received a response since it was sent, she will follow up.
- Septic System Issues – Mr. Ellis reported that there was a report of a failed septic system at 180 St. George Street and that the owner was considering a sewer expansion and the owner had requested to come before the Board to inquire about connection; however, notification was received from the homeowner today that at this time he does not wish to pursue. Mr. Ellis noted that it is his understanding that they are currently “pump and haul”. Ms. O'Doherty inquired if this is something under the Township's septic management program that would require to be followed up. Mr. Ellis noted that there was also an inquiry from a realtor about a property at 1004 Wagontown Road that also has a failing septic system. The property is pending a transfer and currently there is a “pump and haul” arrangement.

DCNR C2P2 Grant Application – The C2P2 grant application, which would be due by April 10, 2019, was discussed. Mr. Ellis reported that the district DCNR representative advised that if the Township did not have a commitment from the School District with regards to the lease of land

adjacent to the Township Property at 1145 West Lincoln Highway, we would lose at least 15 points from the application right away. It was the Board's consensus to wait until next year to submit an application when we hopefully would have something in place with the school district.

Setting of Public Meeting for Recreation/Open Space Comprehensive Plan – Mr. Ellis advised that we would need to hold off scheduling a public hearing until the lease arrangement with the School District is confirmed. Ms. Lewis noted that we were granted a one-year extension on the Open Space Comp Plan.

Mr. Ellis noted that he had recently reviewed some PA One Calls that the Township had received. The requester was PennDOT and he believes it is for electronic messaging signs as part of PennDOT's ITS system. Ms. Lewis stated that she would reach out to PennDOT to confirm.

Valley Suburban recording of plan extension – A waiver request was received from Valley Square Development Associates, LP, regarding the Valley Suburban Center Subdivision and Land Development Plan. Due to the required outside agency approvals, VSDA anticipates an additional nine months will be necessary to secure the remaining permits and address the conditions of the Approval. VSDA submitted a waiver/modification of Section 304.8 to grant an extension of the time frame to record the plans up to and including December 31, 2019. **Mr. Handy made a motion to approve the waiver request and accept the extension of the time frame to record the plans up to and including December 31, 2019. Mr. Sciandra seconded the motion.** The motion passed unanimously.

At this time, Mr. Ellis departed the meeting.

#### **MANAGER'S REPORT:**

Discussion regarding possible revisions to Zoning Ordinance regarding food trucks – Ms. Lewis noted that "food trucks" are not addressed in our Zoning Ordinance. There was an inquiry about food trucks and it was noted that they are becoming quite popular. After discussion, Ms. Lewis stated that she would pull some samples of food truck ordinances and forward them to the Planning Commission for review and recommendation.

Discussion regarding Floodplain Ordinance – There was discussion regarding the designee of Floodplain Administrator in our Floodplain Ordinance. The Ordinance currently names the Chair of the Board of Supervisors as the Administrator and the Vice Chair as the secondary administrator. It was noted that it is common that there is language that would include "or their designee" to be the one to issue the permits, etc. She will check to see if it can be an administrative amendment.

IT Services for New Township Building – Ms. Lewis stated that she has found two CoStars vendors who possibly could provide IT Services for the New Township Building: ComStar and Omega Systems. The Board requested that meetings be set up with both vendors.

Other – Ms. Lewis stated that quotes are being obtained for a new postage machine. The current machine is obsolete and is no longer supported on a maintenance agreement. She also stated that she and the administrative staff are looking at financial and utility software packages.

Ms. O’Doherty inquired, as a follow up to recent Workplace Safety Committee meetings, regarding the opening and locking of the parks. Ms. Lewis stated that she would follow up with the Chief regarding the locking of the parks at night. The issue of dogs in the parks was also noted. Ms. Lewis noted that one case is with the Dog Warden.

**OLD BUSINESS:**

Discussion/consideration regarding annual sprinkler and fire alarm system inspections – As previously requested, Ms. Lewis presented additional quotes for sprinkler and fire alarm inspection services. In addition to the quote from Oliver Fire Protection & Security, quotes were obtained from Commonwealth Fire Protection and Marco Protection Systems, LLC. **Mr. Handy made a motion, seconded by Mr. Sciandra, to renew our annual sprinkler system and fire alarm system inspections with Oliver Fire Protection Systems as per their proposal dated January 29, 2019.** The motion passed unanimously.

**NEW BUSINESS:**

Discussion/consideration regarding exoneration request for mobile home removed from Taylors Mobile Home Park (204 Washington Avenue/38-02P004003T) – An exoneration request from the Tax Claim Bureau of Chester County was reviewed for a mobile home that was removed in the Spring of 2018. **Mr. Handy made a motion, seconded by Mr. Sciandra, to exonerate Tax Parcel 38-02P-0040003T in the amount of \$82.14 for a mobile home that was removed in 2018.** The motion passed unanimously.

Discussion/consideration to approve payment applications for new township building construction and authorize wire transfer from PSDLAF – **Mr. Sciandra made a motion to approve payment applications for new township building construction and related expenses as follows and to approve the transfer of funds from PSDLAF to Coatesville Savings Bank General Fund Checking Account in the amount of \$211,140.46:**

- Perrotto Builders - \$211,140.46
- Unruh Turner Burke & Frees (legal consultation/construction) - \$758.50

**Mr. Handy seconded the motion.** The motion passed unanimously.

Discussion/consideration regarding PFM’s Valuation Agreement – The Board reviewed a proposal from PFM Financial Advisors (PFM) to assist in the due diligence valuation of the Township’s water and sewer systems. **Mr. Sciandra made a motion, seconded by Mr. Handy, to sign a Valuation Agreement with PFM for Valley’s water and sewer systems.** The motion passed unanimously.

**APPROVAL OF MINUTES:**

**Mr. Sciandra made a motion, seconded by Mr. Handy, to approve the minutes of the March 5, 2019, meeting as presented.** The motion passed unanimously.

**TREASURER'S REPORT:**

**Mr. Handy made a motion, seconded by Mr. Sciandra, to accept the Treasurer's Report subject to audit.** The motion passed unanimously.

**PAYMENT OF BILLS**

**Mr. Sciandra made a motion, seconded by Mr. Handy, to authorize payment of bills as presented and to add the monthly supervisor pay and the meeting attendance pay to the Planning Commission members.** The motion passed unanimously.

**DEPARTMENT REPORTS:**

Public Works – The monthly report was distributed to the Board of Supervisors and is on file at the Township Office.

Administration – The monthly report was distributed to the Board of Supervisors and is on file at the Township Office.

**CITIZEN'S COMMENT:**

None

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There being no further business to discuss, the meeting adjourned at 9:16 p.m.

Janis A. Rambo  
Township Secretary