

## **MINUTES FOR SEPTEMBER 3, 2019 VALLEY TOWNSHIP BOARD OF SUPERVISORS**

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, September 3, 2019, at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:30 p.m. Those in attendance were Supervisors Kathy O'Doherty, William Handy, Joe Sciandra and Patrice Proctor. Supervisor Christopher Lehenky was absent. Also in attendance were Carol R. Lewis, Township Manager; Andrew D.H. Rau, Esquire, of Unruh, Turner, Burke & Frees (Township Solicitor); and Michael J. Ellis, P.E., of Pennoni Associates Inc. (Township Engineer). Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to the meeting at 6:30 p.m. to discuss matters of litigation and real estate.

### **PUBLIC HEARING:**

As advertised, the Board of Supervisors held a public hearing to consider whether or not to enact an Ordinance amending Chapter 27 of the Code of Ordinances of Valley Township, Chester County, by adding definitions and establishing criteria for medical marijuana dispensary and medical marijuana grower/processor uses. Mr. Rau advised that the Valley Township Planning Commission recommended approval of the zoning amendment on July 9, 2019, and the Chester County Planning Commission supported the adoption of the proposed letter in their review letter dated July 30, 2019. The notice was properly published in the *Daily Local News* on August 19 and August 26, 2019 and a copy of the full ordinance has been available at the Township Office for review. There were no comments or questions by the Board of Supervisors, Township Engineer, or the public present at the meeting. The hearing was closed at 7:34 p.m.

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

Consideration to enact an ordinance amending Chapter 27 of the Code of Ordinances of Valley Township by adding definitions and establishing criteria for medical marijuana dispensary and medical marijuana grower/processor uses – **Mr. Sciandra made a motion to adopt Ordinance 2019-06, an ordinance amending Chapter 27 of the Code of Ordinances of Valley Township by adding definitions and establishing criteria for medical marijuana dispensary and medical marijuana grower/processor uses. Mr. Handy seconded the motion.** The motion passed unanimously.

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

None

**APPROVAL OF MINUTES:**

**Mr. Handy made a motion, seconded by Ms. O’Doherty, to accept the minutes from the August 6, 2019, meeting.** The motion passed with Mr. Sciandra abstaining as he was not in attendance at the August 6, 2019, meeting.

**Mr. Sciandra made a motion, seconded by Mr. Handy, to approve the minutes from the August 20, 2019, meeting.** The motion passed with Ms. O’Doherty abstaining as she was not in attendance at the August 20, 2019, meeting.

**PAYMENT OF BILLS:**

**Ms. O’Doherty made a motion, seconded by Mr. Sciandra, to pay bills as presented.** The motion passed unanimously.

**GENERAL BOARD COMMENTS:**

Ms. Proctor noted the following upcoming events:

- A concert will be held on Saturday, September 7, at 12:00 noon, at Westwood Fire Company featuring Wilson Lambert’s “Blue Philly Magic”. Refreshments will be available for purchase.
- Annual Valley Day will be held on Saturday, September 28 from 11:00 a.m. to 4:00 p.m., with a rain date of September 29. The Parks & Recreation authority is still accepting sponsorships, vendor applications, and donated items for the raffle. Ms. Proctor thanked Pennoni Associates and Unruh Turner Burke & Frees for their generous sponsorship.

**CITIZEN COMMENTS:**

Jill Hayes, 312 Randall Lane – Mrs. Hayes was present to review her request previously sent in requesting an adjustment on her water/sewer/trash bill for a high use of water and sewer. She acknowledged that she saw an estimated reading for the fourth quarter of 2018 and then received a letter after the first quarter reading that again her quarterly bill was estimated. A new remote radio was installed on her home on April 4 and an actual reading was obtained which indicated a noticeable increase. She claims that she had no leaks or abnormal activity for the high-water usage. She said that she is not able to pay the entire bill for the excess usage at this time due but she could pay an additional \$20 per month until the balance of her past due amount is paid in full. After discussion, Mr. Sciandra said he would offer that the additional #201.60 for sewer as the water did not go into the system for treatment; however, an adjustment could not be made for the water. There was discussion regarding the offer to have the meter sent out for testing and Mrs. Hayes stated she was not going to absorb the associated costs for the new meter and installation. **Mr. Sciandra made a motion to credit the account of 312 Randall Lane in the amount of \$201.60 for sewer; credit the initial penalty fee of \$35.28; permit the homeowners to continue to pay the outstanding amount billed for water usage over the minimum which originally was \$151.20 in month increments of \$20 or more until the balance is paid off; the homeowners will remain current with all future quarterly bills; and**

**that additional penalty fees on the remaining unpaid balance would not be waived. Ms. O'Doherty seconded the motion.** The motion passed unanimously.

John Abele, Jr., property owner of 1025 and 1027 Manor Road – Mr. Abel had requested to be on the agenda. It was noted that he was not present.

**ENGINEER'S REPORT:**

Mr. Ellis submitted the Engineer's Report which is on file in the Township Office. Mr. Ellis highlighted the following items from the report:

- Valley View Lot 5 – Mr. Ellis reported that it is his understanding that there is a tenant for Lot 5 that is looking to be moved in by the end of October and that there is possible interest in Lot 6.
- Oakcrest Phase 1 – Mr. Ellis reported that most of the items in the punchlist has been completed. They are working with the Township's Solicitor on required documents for dedication which the developer hopes to have to the Board for consideration at their September 17 meeting.
- Oakcrest Phase II – Mr. Ellis noted that there has been no activity since their last report.
- Township Municipal Complex – The remainder of the base course paving is scheduled for September 6 and the porous paving in the front parking lot is scheduled for Saturday, September 7. It was discussed that the porous paving area should be sectioned off during the remainder of construction. Mr. Sciandra stated that the contractor should be advised that the Township wants "jersey barriers" in lieu of cones that can be moved.
- Hemlock Avenue Bridge Replacement – Mr. Ellis reported that DEP has issued the general permit. Pennoni has submitted the bid documents and plans to DCD and received their approval; however, the project cannot be bid until DCD receives the environmental approval from HUD which is taking much longer than they had anticipated. This timeframe remains unknown. Provided HUD issues the environmental clearance within the next 1-2 weeks, the project is planned to be bid in September, awarded and contract executed in October-November, precast concrete drawings and fabrication by February 2020, and the bulk of construction performed in March-April 2020.
- Mr. Sciandra noted that a bridge immediately west of Grove Avenue, which accesses a house, is in bad shape and that another bad storm could take the bridge out. Ms. Lewis stated that she would have Codes look into it.

- Pugh Property Drainage – It was reported that there has been no activity. Ms. Lewis stated the last communication from the City of Coatesville was that they were having their engineer review. She stated that she would follow up.
- Recreation & Open Space Plan – Awaiting communication from DCNR on the resubmitted Plan.
- 752 Wagontown Road – Mr. Ellis noted that Pennoni attended an on-site, pre-application meeting on August 23 with a potential applicant regarding permitting, utility, and stormwater management requirements for renovation of an abandoned barn into a multi-family residential use. Pennoni addressed some follow up questions following the meeting. It was noted that some of the property is in a flood plain.
- Buckthorn/Robinson/Oaklyn – The Board requested that the Township proceed with the proposed plan to include the signage required and notification to the School District.
- 1037 Manor Road Retaining Wall – Mr. Ellis reported that the new property owner began demolition the week of August 12. Pennoni has performed periodic on-site observations of the demolition work and installation of E&S controls and have been coordinating efforts with the Codes Officer. Pennoni attended an on-site meeting with the contractor and property owner about scoping for the new wall construction. He reported that it is proposed to construct the two-tiered block walls in accordance with the engineered plans. The contractor has been notified of outstanding permit application and E&S corrective action requirements that need to be addressed to obtain the permit for the new wall construction.

Consideration to authorize payment to Philip McFadden for Irish Lane Alley paving in the amount of \$3,080.00 – Mr. Ellis reported that the paving has been completed and Pennoni had inspected the work during the project. Mr. Rau noted that the Board had an Agreement with Mr. McFadden for the work to be performed and the amount that the Township would reimburse to him. **Mr. Sciandra made a motion, seconded by Ms. O’Doherty, to authorize reimbursement to Philip McFadden in the amount of \$3,080.00.** The motion passed unanimously.

Discussion/consideration to grant an extension for Amycel plan recording – A letter was received from Stephen Anania, Project Manager of Amycel Inc., advising that since the approval was grant, they have been working to obtain the required outside approvals. Due to the complexity of the sewer pump station upgrade, they are requesting additional time to secure the remaining permits and address the conditions of the Approval. **Mr. Handy made a motion, seconded by Mr. Sciandra, to grant a waiver under §304.8 for an extension of the effective time frame to record the plans up to and including December 31, 2019.** The motion passed unanimously.

**MANAGER'S REPORT:**

Discussion/consideration to send representation to the Chester County Board of Assessment Appeals hearing for Airport Village LP – Mr. Rau review the assessment appeals process and the consensus of the Board was to have the Solicitor's office attend the hearing.

At this time, Mr. Rau and Mr. Ellis departed the meeting.

Consideration to authorize transfer sewer funds from the Coatesville Savings Bank Money Market and the PLIGIT sewer fund to the Sewer Fund Checking Account – After review of the sewer fund account balances, **Mr. Sciandra made a motion to transfer remaining funds in the Sewer Fund Money Market at Coatesville Savings Bank and the Sewer Fund Savings at PLIGIT to the Coatesville Savings Bank Sewer Fund Checking Account. Mr. Handy seconded the motion.** The motion pass unanimously.

Initial Budget Meeting – The Board set the first budget meeting for October 9, 2019, at 6:30 p.m.

**OLD BUSINESS:**

Discussion/consideration regarding logo design and costs moving forward – Two additional renderings were provided for the Board's review. **Mr. Sciandra made a motion, seconded by Ms. O'Doherty, to approve logo rendering Z1 prepared by W. J. Strickler Signs, dated August 28, 2019, rev 17.** The motion passed unanimously.



Discussion/consideration regarding 2 Lindbergh Boulevard, Hangar 5B – The Board reviewed the previous request for account adjustment from Citation One LLC for a high water and sewer invoice which was the result of a leak. It was noted that following the August 6 meeting, Citation One did apply for a building permit for the work. No inspections have been requested. One payment for \$1,000 was received and posted on July 26. As of today's date, the balance due is \$6,183.62.

The Board discussed the issues that were previously noted regarding this case. The Board reviewed the options to either require the Airport Authority to have curb stops installed for each

usage or one invoice to the Airport. It was the consensus of the Board to reach out to the Airport and advise that the process would change to one billing to the Airport and that they could bill their individual tenants.

With regards to any adjustment to the 2 Lindberg Boulevard Hangar adjustment, **Ms. O’Doherty made a motion to table any decision until Citation One comes back before the Board. Mr. Sciandra seconded the motion.** The motion passed unanimously.

**NEW BUSINESS:**

Consideration to adopt a Resolution authorizing undertaking a project under the Early Intervention Program; authorizing application on the Township’s behalf; and allocating resources – Ms. Lewis reviewed the EIP application process and scope of services that could be provided such as development of a 10-year budget, asset evaluation, process and procedure reviews, manuals, and contract review. It was noted that the allocation would be \$100,000, of which the Township could be reimbursed \$50,000 upon completion of the project. Ms. O’Doherty inquired if the application could be submitted after a review of where the Township is financially and the project budget for 2020 to ensure we would have the funding. After discussion, **Mr. Sciandra made a motion, seconded by Mr. Handy, to adopt Resolution 2019-17, a resolution authorizing undertaking a project under the early intervention program; authorizing application on the Township’s behalf; and allocating resources in the amount of \$100,000.** The motion passed by a vote of 3-1 with Ms. O’Doherty voting nay.

**CITIZEN COMMENTS:**

Sharon Yates, 61 Kirby Street – Ms. Yates thanked the Board for her recent appointment to the Environmental Advisory Council and the EAC’s plans to participate at Valley Day.

There being no further business to discuss, the meeting adjourned at 9:29 p.m.

Janis A. Rambo  
Township Secretary