

MINUTES FOR JUNE 16, 2020
VALLEY TOWNSHIP BOARD OF SUPERVISORS

The second monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, June 16, 2020, via virtual meeting through *Go To Meeting*.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:39 p.m. Those participating in the meeting were Supervisors Kathy O'Doherty, Sharon Yates, Carmen Boyd and Patrice Proctor. Supervisor Christopher Lehenky was absent. Also participating in the meeting were Amanda Sundquist, Esquire, of Unruh, Turner, Burke & Frees (Township Solicitor); Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer); Carol R. Lewis, Township Manager; and Kris Lenhart, Roadmaster.

It was noted that the meeting was being conducted through *Go To Meeting* to comply with Governor Wolf's order that all individuals in Chester County stay home in an effort to slow the spread and minimize public exposure to COVID-19 and maintain social distancing.

ANNOUNCEMENT OF MEETINGS/ACTIONS OF THE BOARD

Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to the meeting this evening starting at 6:30 p.m. via conference call regarding litigation and personnel matters. She also noted that the Board of Supervisors met in Executive Session on May 20, 2020 at 1:00 p.m.; June 4, 2020 at 6:00 p.m.; and June 10, 2020 at 6:00 p.m. All meetings were for the purposes of litigation and personnel

CITIZENS COMMENTS ON AGENDA ITEMS

None

APPROVE MINUTES AS WRITTEN

Ms. O'Doherty made a motion, seconded by Ms. Boyd, to approve the minutes of the June 3, 2020, Board of Supervisors meeting. The motion passed unanimously.

TREASURER'S REPORT

Ms. Lewis reviewed the account balances.

CITIZEN'S REQUEST TO BE ON THE AGENDA

Anika Corbett, 29 New Street – Ms. Corbett and Joe Lisowski of Goodworks inquired about sewer connection for 29 New Street. Mr. Lisowski noted that he had received copies of the Board of Supervisors' letters of 2004 and 2009 confirming and outlining connection options. Mr. Ellis noted that the two viable options would be a main extension which would require a plan submission, maintenance escrow and ultimately dedication to the township or to run a long lateral which will require an easement with the adjacent property owner. A design sketch plan

would be required to show that the design would work. A signed and recorded easement would be required before a building permit could be issued. Mr. Ellis stated that a grinder pump system could also be explored. Mr. Ellis confirmed that the connection fee is \$972.92 payable at the time of the building permit application and that a registered plumber with the Township would be required to do the work. Mr. Ellis noted that the DEP exemption approval was already obtained and is still valid. He reconfirmed that if the approach is to run a lateral that the first step should be to talk with the neighbor to see if they would be willing to agree to an easement; submit a building plan with a sketch to the Valley Township Codes Department noting how the connection would be made and materials and the road repair requirements. Ms. Lewis reinforced that a copy of the recorded easement would be required before any building permit would be issued.

Maxwell Moomba, 339 Dague Farm Drive – Mr. Moomba stated that he would like to follow up regarding the house in Oakcrest that was previously discussed at a public meeting as he would like to know the path forward that if the group home comes in and that he is still waiting for information that was to be forwarded after the meeting that this house was discussed. Ms. Lewis noted that the fair housing link was put on the Township's website and that information on Thistle Hill had been forwarded to him. She noted that the property meets the Township's definition of a family home and that any additional questions or concerns could be directed to Rev. Deets of the Episcopal Church of the Trinity and reiterated that the Township has no jurisdiction in this project.

Shawn Leonard, 854 West Chestnut Street, expressed his concerns regarding the home and potential occupants. Mr. Moomba questioned how long the residents will be living in the home. Mr. Leonard stated that the Township has provisions regarding short-term rentals. Ms. O'Doherty stated that she believes that he is referencing his HOA covenants which are not enforceable by the Township. Douglas Sammond of 822 West Chestnut Street expressed his concerns regarding the unknown. Ms. O'Doherty again urged him, and others, to contact Rev. Deets with their questions and noted that she believed that the organization had wanted a resident of the Oakcrest community to serve on their Board of Directors. Davis Marrow, 106 Dague Farm Drive, inquired about regulations with the Fair Housing Act. Ms. Sundquist advised that CDBG funding was obtained by the Church to purchase the home and that the ministry is operating/funding the house. Ms. Sundquist noted that they did not need permission from the Township. The house falls under the definition of a family home and not a business. Mr. Leonard stated he never received any information that was provided by the church and that he feels that he has received bad information. Ms. Lewis stated that he could forward his contact information but that information was sent to the HOA President to forward.

Mr. Moomba then stated that he would like to discuss the Township's water and sewer billing. He noted if you water your lawn, it is tied to the sewer. Ms. Proctor noted that is the general practice including Pennsylvania American Water Company (PAWC) and Aqua. Mr. Leonard asked if it were possible for homeowners to install a meter and have the usage deducted from sewer. Mr. Ellis noted that the topic came up several years ago. The Township created a task force to evaluate the water and sewer rate structure. After months of meetings and evaluating various options, the analysis concluded no change to the current billing structure. It was noted that the Township's water and sewer systems are under an Asset Purchase Agreement with PAWC and following the closing will be subject to the PAWC rate structure. Ms. O'Doherty noted that PAWC will holding rates for at least two years. Ms. Sundquist added that any rate

increase by PAWC would be regulated by the PUC that would be filed through a tariff increase. Mr. Ellis noted that the Valley Township's adopted water and sewer regulations do not allow the additional meter. Ms. Proctor directed Mr. Ellis to contact PAWC to see if they allow individual meters to be connected to track water usage not going through the sewer system. Mr. Sammond stated that PAWC had to have done due diligence and would need to know what would be needed to be done to improve the Valley systems. He stated that he would like that information. Mr. Leonard stated that he feels all meetings should be recorded. Allison Roelofs, 1075 Front Street, stated that she also felt that all public meetings should be recorded. The Board noted that the current public meeting room does not have a video system. Candia Baez, 725 West Chestnut Street, inquired why it is up to the Board to decide if meetings are record and not the residents and inquired when it would be decided. Ms. Boyd stated that the Board will consider any legal issues with recording/taping a meeting, costs/expenses, feasibility. Ms. Roelofs inquired how long it will take for the Board to decide and requested that a decision be made within three months.

PAYMENT OF BILS

Ms. O'Doherty made a motion, seconded by Ms. Boyd, to approve payment of bills as presented. The motion passed unanimously.

DEPARTMENT REPORTS

Police – The Police Report for the month of May was distributed to the Board of Supervisors and is on file at the Township Office. It was noted that crimes are decreasing.

Fire/EMS – No reports submitted for the month of May.

Emergency Management – No report submitted.

Public Works – The monthly report for May was submitted and is on file at the Township Office. Mr. Lenhart reported that the revised mattress collection program is going well. He stated that in addition to prepaying for the pickup, the fee now includes a bag is provided for the resident to put their mattress or boxspring in. He noted that this is for the safety of the personnel. It was noted that there are several being discarded in several sections of the township that is an issue that needs to be addressed.

Administration – The monthly report for May was submitted and is on file at the Township Office.

Codes – The monthly report for May was submitted and is on file at the Township Office.

Safety – The Safety Committee's May 13, 2020, meeting minutes were distributed to the Board of Supervisors.

SOLICTIOR'S REPORT

Ms. Sundquist noted that there will be a public hearing at the beginning of the Board's meeting

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of July 7, 2020, to hear public comment and thereafter consider an ordinance amending the Code of Ordinances to amend the Zoning Map and other miscellaneous provisions. She also noted that she and Mr. Ellis are also reviewing the steep slopes zoning amendment.

At this time, Ms. Sundquist departed the meeting.

PLANNING COMMISSION REPROT

Mr. Ellis reviewed the Planning Commission's June 9, 2020, meeting. He noted that the Commission reviewed the Valley View Business Park Lot 6 land development plan (G.A. Vietri Inc. – applicant). They are seeking two waivers: to submit preliminary/final and a waiver for the radius at the access drive. The Planning Commission voted to recommend conditional preliminary/final approval contingent upon addressing comments in the review letter and third-party approvals.

The Planning Commission also reviewed the land development plans submitted for Valley View Business Park Lot 7 (Little Red Dog, LLC/Cigas Machine Shop – applicant). Mr. Ellis noted that an expedited review was done and that the applicant did not have time to address comments in the review letter that were issued before the meeting. The Planning Commission tabled any decision to the July meeting.

ENGINEER'S REPORT

Discussion/consideration to authorize Hemlock Avenue Bridge Rehabilitation Project Payment #2 in the amount of \$58,809.62 – Mr. Ellis reported that DESCCO Design and Construction Inc. submitted the second invoice for work completed. Pennoni has observed the work in progress and confirmed that the described work has been completed. **Ms. O'Doherty made a motion, seconded by Ms. Boyd, based on the Engineer's recommendation to authorize payment #2 to DESCCO Design and Construction Inc. in the amount of \$58,809.62 for the Hemlock Avenue Bridge Rehabilitation Project.** The motion passed unanimously.

Discussion regarding Septage Management Program Implementation – Mr. Ellis asked to table this item as he is working on drafting a letter to describe the program.

Consideration to accept Little Red Dog, LLC's waiver for an extension of the effective time to record the plans up to and including August 6, 2020 – **Ms. Yates made a motion, seconded by Ms. O'Doherty to accept the time extension for Valley View Business Park Lot 7/Little Red Dog LLC to record the plans up to and including August 6,2020.** The motion passed unanimously.

Mr. Ellis submitted the Engineer's Report which is on file in the Township Office.

The following items from the report were reviewed:

- Oakcrest Phase 2 – Mr. Ellis reported that Pennoni has performed observation of the infiltration basins' construction and continuation of pen space lawn restoration. Continue coordination on tot lot layout and equipment and status of pedestrian bridge permitting and associated construction layout. A site meeting has been requested with a Township

representative. Mr. Ellis stated that clarification of the purpose of the meeting will be confirmed in order to ensure the proper Township representative attends the meeting.

- Valley Township Municipal Complex – Pennoni met on-site with the site contractor for their re-start of sitework completion and punchlist items.
- Concord Street Reconstruction – Mr. Ellis reported that DCD has received the funding for the project and Pennoni is initiating the HUD environmental review process with them. The County will be sending the grant contract to the Township in the next 1-2 weeks for Township execution. Design work continues. Additional survey was performed to determine an alternative discharge location for the new storm sewer system since the original concept to discharge along 9th Avenue is not ideal. Following completion of design, environmental approval, grant contract execution, the project can be put out to bid. Bidding is tentatively estimated for late July; however, the schedule is being evaluated to determine if this is viable since final paving would likely occur in the November-December timeframe.
- MS4/TMDL Plan – DEP has issued the final MS4 permit. Permit is effective on July 1, 2020 and expires on June 30, 2025. Mr. Ellis noted that it appears that DEP will be requiring us to do regular inspection of private stormwater or compliance in coordination with the County's revised Act 167 Stormwater update.

At this time, Mr. Ellis departed the meeting.

MANAGER'S REPORT

Manager's Report Review- Ms. Lewis submitted the Manager's Report for the month of May 2020. She noted that the contract with Covanta for electronic waste was finalized, the map/information guide through Print was sent back for final submission; and that the Township is currently looking for volunteers for the Historical Committee.

Discussion/consideration to set the Township Administration/Codes work hours to 8:00 am to 4:00 pm effective July 1, 2020 – The Board noted that the Township staff has overlapping shifts and that at time only one staff member may be in the office. **Ms. O'Doherty made a motion, seconded by Ms. Yates, that effective July 1, 2020, the Administration and Codes offices will be open from 8:00 am to 4:00 pm, Monday through Friday.** The motion passed unanimously. Mervisa Johnson, 339 Dague Farm Drive, stated that she was always able to stop by the Township Building prior to being at work at 9:00 am to make a payment on her account. It was noted that the Township Building is still closed to the public except by appointment only and that a secure, drop box has been installed at the Township Building for payments and correspondence and that a built in drop box will be available at the new building. It was noted that staff is back to work fulltime, but due to social distancing inability in the main entrance of the building, the offices are closed to public. It was also noted that forms of payment currently are check or money order; no cash being accepted due for safety concerns.

Discussion/consideration to approve Job Description of Part-time Building/Maintenance Labor – Ms. Lewis requested consideration to approve the proposed job description for the position of part-time building/maintenance laborer position as well as an updated job application form. Ms. O'Doherty stated that she had not had time to review thoroughly and the Board tabled any action on the job description.

OLD BUSINESS

Consideration to ratify/extend Hill International's contract – **Ms. O'Doherty made a motion, seconded by Ms. Yates, to ratify Hill International's contract from April 1, 2020, and approve extension of the contract to July 31, 2020.** The motion passed unanimously. Ms. Lewis was asked to ask Hill International how much time they will need to finalize their work and punch list items.

NEW BUSINESS

Consideration to approve payment applications related to the New Township Building – **Ms. Yates made a motion, seconded by Ms. Boyd, to approve payment to H.B. Frazer in the amount of \$22,168.51 and Trefz Mechanical Inc. in the amount of \$5,700.00.** The motion passed unanimously.

CITIZEN COMMENTS

Mervisa Johnson, 339 Dague Farm Drive, questioned the uncertainty of the new township building. Ms. Proctor stated that the move to the new building is scheduled for August 7. Ms. Johnson inquired about the projected next round of COVID19. Ms. Yates noted that shields were provided to staff that worked at the election poles by the County. Ms. Lewis noted that measures would be in place for safety. It was noted that the building was designed that all staff is behind safety glass, unlike the current building, with a larger reception area.

Louise Smith, 222 Peck Drive – Ms. Smith noted that she heard throughout the meeting about information on the Township website. She asked that everyone remember that the senior population may not have computers and can access that information. She also asked the Board to consider paving 222 Peck Drive. It was noted that Peck Drive was scheduled in the 2021 road program to be bid out. Ms. Smith also stated that the grass is two to three feet high at 145 Glencrest Road and asked that someone contact the property owner to have the property mowed.

Ms. Lewis noted that in the last Township where she worked, she held monthly citizen meetings for communication with the public. There was a consensus to begin this type of meeting when it could be safely conducted with in person meetings.

Cynthia Morton, 924 West Lincoln Highway – Ms. Morton inquired about the lack of lighting on Church Street between Front and Main Street. Ms. Proctor advised that pole numbers are needed to be called into PECO to turn on the lights. Ms. Morton also noted drainage issues from Quiet Village to Lincoln Highway, in particular, the area between Chestnut Street and Second Avenue on the southwest corner.

There being no further business to discuss, the meeting was properly adjourned at 10:45 p.m.

Janis A. Rambo
Township Secretary