

MINUTES FOR AUGUST 18, 2020 VALLEY TOWNSHIP BOARD OF SUPERVISORS

The second monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, August 18, 2020, via virtual meeting through *Go To Meeting*.

Public Hearing – Comprehensive Plan

A Public Hearing was held, as advertised, to hear public comment on the proposed *Comprehensive Plan*. Solicitor Sundquist noted the Exhibit List for the adopting Resolution to be presented later in the meeting, which included: B-1 – Township Planning Commission Meeting Minutes dated March 10, 2020; B-2 – Notification to Contiguous Municipalities, School District, and Chester County Planning Commission; B-3 – Proof of Publication in *Daily Local News* on July 31, 2020 and August 7, 2020; B-4 – Chester County Planning Commission review dated August 6, 2020; B-5 – Draft Comprehensive Plan prepared by Thomas Comitta Associates, Inc.; B-6 – Errata Sheet.

Jennifer Leister Reitz, AICP, LEED AP, of Thomas Comitta Associates, Inc., reviewed the process and the contents of the proposed Comprehensive Update. She noted that the last Comprehensive Plan was adopted in 2003.

Bruce Manning of the Valley Township Planning Commission asked if the list of Planning Commission members could be updated on the Acknowledgement page.

Following the presentation, the Board of Supervisors had no questions. The public was invited to ask any questions or note comments.

Allison Roelofs, 1075 Front Street – Ms. Roelofs expressed concerns regarding the mixed use along the Business 30 corridor with regards to quality of life for those living in the area. Ms. Reitz noted that most Township ordinances will have set back regulations, requiring screening, etc. Ms. Roelofs noted and questioned the status of the Township leasing the land owned by the School District adjacent to the Township Municipal complex. It was noted that presentations were made to the School District, but, due to COVID19 and the recent change again in school district superintendent, there have not been any recent conversations or meetings.

Toni Morton, 924 West Lincoln Highway – Ms. Morton inquired if the Plan included a grocery store. Ms. Reitz stated that it is mentioned in the Plan as well as an observation in the multi-municipal Economic Study being performed by the City of Coatesville, South Coatesville Borough, and Valley Township. Supervisor Yates noted that Carol Lewis, Township Manager, had contacted a few grocery store chains to try and lure them to Valley Township.

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Allison Roelofs, 1075 Front Street – Ms. Roelofs noted that she is not a proponent of sidewalks in the Hayti neighborhood. Ms. Reitz mentioned that they would work with neighborhoods. Ms. Roelofs also commented on abandoned houses and their impact on community.

Louise Smith, 222 Peck Drive – Ms. Smith inquired if the Comprehensive Plan is available to residents. It was noted that a copy is on the Valley Township website.

Gerald Davis, 833 Lafayette Street - Mr. Davis also commented on abandoned houses and people using a backyard as a parking lot. Supervisor Yates recommended that he initiate a Complaint Form in order for the Codes Department to investigate.

The hearing closed at 7:43 p.m.

Public Hearing – Amending the Code of the Township of Valley at Section 27-318 to amend the Natural Resource Standards, at Section 27-111 to add a definition, and other miscellaneous provisions

As advertised, a public hearing was held to present and hear comments to amend the Code of the Township of Valley at Section 27-318 to amend the Natural Resource Standards, at Section 27-111 to add a definition, and other miscellaneous provisions. Solicitor Sundquist noted the Exhibit List for amendment to be presented later in the meeting for consideration to included: B-1 – ordinance; B-2 – Proof of Publication in *Daily Local News* on July 31, 2020 and August 7, 2020; B-3 – Township Planning Commission recommendation/meeting minutes; B-4 – Chester County Planning Commission review dated July 23, 2020. Ms. Sundquist reviewed that this amendment pertains to changes in slopes and change in industrial to woodland disturbance.

The Board of Supervisors had no questions or comments.

Allison Roelofs, 1075 Front Street – Ms. Roelofs asked for more detail of the proposed ordinance amendment which Ms. Sundquist reviewed.

There being no further questions or comments, the hearing was closed at 7:49 p.m.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:49 p.m. Those participating in the meeting were Supervisors Christopher Lehenky, Kathy O’Doherty, Sharon Yates, Carmen Boyd and Patrice Proctor. 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); 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 this evening's meeting at 5:30 p.m. to discuss personnel issues, litigation, and legal advice.

Ms. Proctor noted that the Administration and Codes offices had relocated to 1145 West Lincoln Highway; however, the offices are open by appointment only.

CITIZEN COMMENTS ON AGENDA ITEMS

The public notice for the virtual meeting was published in the *Daily Local News*, posted at the Township Building and on the Township website. The notice stated that comments could be eMailed to the Township Secretary by 3:00 p.m. on this date to be read at the meeting. No comments were received by the Township Secretary to be read at the meeting.

There were no comments on agenda items by those participating in the meeting.

APPROVE MINUTES AS WRITTEN

Ms. Yates made a motion, seconded by Ms. O'Doherty, to approve the minutes of the August 4, 2020, Board of Supervisors meeting. The motion passed unanimously.

APPROVE PAYMENT OF BILLS

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

BOARD GENERAL COMMENTS

Ms. Proctor reviewed the upcoming yard waste schedule for September and the next mattress and television pick up is scheduled for August 31, 2020. She noted pre-paid fees apply.

CITIZENS REQUEST TO BE ON THE AGENDA

Michael Eric, 359 Glencrest Road – Mr. Eric states that he has had a farm in the Township for 40 years. He reviewed his dissatisfaction regarding a new building that he is putting up and his disagreement with the Township Codes Department regarding permitting. He stated that he is registered with the Agriculture Department and thus exempt for a building permit for an Ag building. He said he went back and forth with the Codes Department. He stated that an exemption form was found and completed and he had a meeting with LTL, Ltd. He stated that he was required to obtain a letter from the State and that the Division Chief of Finance confirmed that he was grandfathered. He stated that he had to submit a \$50 application fee for a permit and feels that since he is exempt, he should not have paid the fee and requested reimbursement. He further stated that he is grandfathered under zoning, and should not need to pay a fee for a zoning permit. Ms. Proctor advised that they will look into the situation and get back to him.

DEPARTMENT REPORTS

Police Report – The Chief’s report for the month of July was distributed to the Board.

Fire/EMS – Chief McWilliams reviewed the monthly reports for July which were also distributed to the Board. He noted that the Fire division responded to 18 calls, of which 16 calls were in Valley. He reported that the EMS division responded to 110 calls, of which 71 calls were in Valley. He noted that Stations 144 and 244 responded to 172 calls --- total EMS calls for all Westwood EMS stations were 282 in the month of July. Chief McWilliams advised that Westwood would like to set up a meeting with the Board to review 2021 budgeting. Chief McWilliams also thanked the public works department who did an excellent job during the recent storms along with the police and EMS.

Emergency Services – No report was provided.

Public Works – Written report for the month of July was provided to the Board. Mr. Lenhart highlighted items from the report to include: Irish Lane guiderail repaired; stormwater pipe cleaned that runs under West Chestnut Street; and notification to DEP of a sanitary sewer overflow on August 4 as a result of a Pennsylvania American Water manhole on Valley Road that came off.

Chief McWilliams inquired about the Hemlock Avenue Bridge. It was noted that the last easement was received yesterday and a copy had just been forwarded to the County who will now permit the guiderail to be installed. It is anticipated that it should be done in the next day or two.

Administration – Monthly report was provided to the Board. Ms. Proctor thanked the Administration staff for their getting settled in the office and working through ongoing construction. Ms. O’Doherty thanked the Township Secretary for her efforts during the move weekend and her donation of time along with Board members and volunteers from Parks and Recreation.

Codes – Ms. Yates reported 27 permit applications were received in the last two weeks. It was noted that the COVID affidavit is no longer in place.

Safety – Ms. O’Doherty reported that to date in August, a quorum has not been able to meet and they are trying to reschedule. Ms. O’Doherty noted that full compliance is required for the wearing of masks for Township personnel, contractors, and public in the new building.

Allison Roelofs, 1075 Front Street – Ms. Roelofs inquired if there will be one or three voting locations for Valley North for the November elections. It was stated that it is still unknown; it is a decision of Voter Services. Ms. Roelofs stated that she noted people at the Primary Election at the Valley North location not wearing masks.

PLANNING COMMISSION REPORT

Mr. Manning reported on the on the August 11, 2020, Planning Commission meeting. He stated that Micronic America, who had submitted a land development plan for 1204 West Lincoln

Highway, did not attend the meeting. The Planning Commission, however, reviewed the comments in Pennoni Associates' August 3, 2020, review letter. He also noted that the Commission discussed the spotted lantern fly with regards to not planning maple trees on Valley View Business Park Lot 6 and 7 as the insect is drawn to these trees.

SOLICITOR'S REPORT

Discussion/consideration regarding the adoption of the Comprehensive Plan – Ms. Boyd made a motion, seconded by Ms. O'Doherty, to adopt Resolution 2020-24, a Resolution adopting the Valley Township Comprehensive Plan of 2020. The motion passed unanimously.

Discussion/consideration regarding the adoption of an ordinance amending the Code of the Township of Valley, as amended, at Section 27-318 to amend the Natural Resource Standards, at Section 27-111 to add a definition and other miscellaneous provisions contained herein – Mr. Lehenky made a motion to adopt Ordinance 2020-02, an ordinance amending the Code of the Township of Valley, as amended, at Section 27-318 to amend the Natural Resource Standards, at Section 27-111 to add a definition and other miscellaneous provisions contained herein. The motion was seconded by Ms. Boyd and passed unanimously.

Discussion/consideration to approve the settlement in the Mingus Gutowski & Company litigation – Ms. Yates made a motion, seconded by Ms. Boyd, to approve the settlement in the Mingus Gutowski & Company litigation. The motion passed unanimously.

At this time, Ms. Sundquist passed unanimously.

ENGINEER'S REPORT

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

The following items from the report was reviewed:

- Valley View Business Park Lot 6 – Mr. Ellis reported that Pennoni reviewed the Opinion of Probable Cost submitted by the Design Engineer and will provide a recommendation letter for the financial security agreement. Pennoni communicated with the Design Consultant the conditions of the Board of Supervisor approval.
- Township Municipal Complex – Pennoni coordinated with the contractor and the Road Crew regarding on-site traffic signs for the opening of the building. A site work punchlist to the contractor and Township was provided.
- 2020 Road Program – Pennoni reviewed the construction submittal and shop drawings provided by the contractor. Required documentation to PennDOT for liquid fuels approval was submitted. A pre-construction meeting was held on August 14. The contractor anticipates starting construction on August 20 and they anticipate construction will take three weeks. It was noted that the Airport Road portion of the bid was to the Township Line. Mr. Ellis reported that another 500 feet of Airport Road into West Caln Township has been maintained by Valley Township and it was confirmed that we receive liquid fuels funding for this portion. Funding is available and this portion will be added into the Contractor's scope.
- Concord Street Reconstruction – Mr. Ellis reported that the project went out for bid on August 5 and a pre-bid meeting at the site was held on August 13. Bids are due on

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August 26 and an award recommendation will be provided for consideration at the September 1, 2020 meeting.

- GIS Mapping – GIS mapping for the water system was provided to the public works department through PAWC.
- Chester County Airport – The Airport’s Design Consultant Engineer would like to provide a short overview of the Airport’s expansion. Ms. Boyd and Ms. Proctor stated that they would be interested in participating in the virtual meeting.

Discussion/consideration regarding Hemlock Avenue Bridge Rehabilitation Project Payment Application #3 from DESCCO in the amount of \$67,555.20– Based on the Engineer’s Recommendation, Mr. Lehenky made a motion, seconded by Ms. Yates, to authorize Payment Application #3 in the amount of \$67,555.20 to DESCCO Design & Construction Inc. for the Hemlock Avenue Bridge Rehab Project. The motion passed unanimously.

Discussion/consideration regarding Hemlock Avenue storm sewer replacement payment in the amount of \$10,450 to DESSCO – Based on the Engineer’s recommendation, Ms. O’Doherty made a motion to authorize payment in the amount of \$10,450 to DESSCO Design & Construction Inc. for the Hemlock Avenue storm sewer replacement. The motion passed unanimously.

Discussion regarding the 2020 VPP grant – Mr. Ellis reported that the County has opened the next round of VPP grant applications. Grant applications are due September 25 and would require a 30% match. Some possible projects provided for consideration are a corridor master plan for West Lincoln Highway and Airport Road; Master Trails Plan; or an Official Map. It was estimated that a grant application submission would cost approximately \$2,000 and attendance at a pre-application meeting with the County. Ms. O’Doherty commented that she was in favor of a Master Plan for the Route 30 Corridor; Mr. Ellis stated that possible funding through DVRPC for the matching funds could be applied for. The item will be placed on the September 1 agenda.

Discussion/consideration regarding the 2020 annual MS4 Report – Mr. Ellis inquired if the Board wanted Pennoni to prepare the annual MS4 report which is due at the end of September. Estimated cost to prepare is between \$2,500 and \$4,000. The consensus of the Board was for Pennoni to prepare the annual MS4 Report.

Ms. O’Doherty inquired about the status of the septic management letters and if they are on schedule to go out by the end of August. Mr. Ellis stated that the information was provided to the Codes office to prepare mailing and he believed addresses had to be obtained for those who have a septic system from the Administration office.

At this time, Mr. Ellis departed the meeting.

OLD BUSINESS

Consideration to extend Hill International’s contract – It was noted that the current extension expires August 31, 2020. **Mr. Lehenky made a motion, seconded by Ms. Yates to extend to September 30, 2020.** Question: Ms. O’Doherty commended that she believes weekly meetings,

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to review goals, objectives, and status with the contractors needs to be reinstated. Other concerns were discussed regarding what contractors are in the building, what work is being done, etc. The Board agreed to compile a list of requirements and concerns for a letter to be drafted with the extension. **Mr. Lehenky withdrew his motion. Ms. Yates made a motion, seconded by Ms. O'Doherty, to extend the contract with Hill International to September 30, 2020, with stipulations, on an as needed basis.** The motion passed unanimously.

Consideration regarding platform for September's BOS and other Commission/Authority/Committee meetings – The Board discussed how to conduct the meetings in September. **Ms. O'Doherty made a motion, seconded by Mr. Lehenky, that all Township meetings will be conducted virtually in the month of September.** The motion passed unanimously.

NEW BUSINESS

Discussion/consideration to approve payment applications for the New Township Building– Ms. Yates made a motion, seconded by Mr. Lehenky, to authorize payment as follows:

- Trefz Mechanical Inc. - \$5,058.32
- Diversified Storage Solutions Inc. - \$50,176.00

The motion passed unanimously.

Discussion/consideration regarding People with Disabilities Parking Space request for 12 Cynthia Road – Application for a People with Disabilities Parking Space for 12 Cynthia Road was reviewed. **Ms. O'Doherty made a motion, seconded by Mr. Lehenky, to approve the handicap parking space pending investigation of Mr. Lenhart and Chief Newhall.** The motion passed unanimously.

Discussion/consideration to adopt 2021 Budget Calendar – A proposed budget calendar was presented for review. **Ms. O'Doherty made a motion, seconded by Mr. Lehenky, to adopt the 2021 Budget calendar noting Board review meetings on October 15, 22, 29, and November 9 and 12, as necessary.** The motion passed unanimously.

Discussion/consideration regarding EAC Alternate – It was noted that the adopting EAC ordinance creates five seats. Anyone willing to participate in meetings or activities is welcome.

Discussion/consideration to hold Laborer interviews – The Board concurred to hold Laborer interviews on August 24, 2020, starting at 6:00 p.m.

Discussion/consideration to hold Part-Time Police Officer Interviews – The Board concurred to hold interviews for the position of part-time police officers on August 27, 2020, starting at 6:00 p.m.

CITIZEN COMMENTS

Louise Smith, 222 Peck Road – Ms. Smith inquired what training Supervisors receive and what are the Supervisor responsibilities. She asked where would a beginner look. Ms. O'Doherty stated that when she considered running for the position of Supervisor that she talked with Ms.

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Proctor and after being elected attended training sessions and noted that ongoing training is available and that the Township attends the annual PSATS conference. Ms. Smith stated that she talked with a Board member and found online what the Township Code requires.

Ms. Smith also asked what the Chester County Airport does for Chester County and Valley Township. It was noted that the Township receives the LST and some tax revenue as well as those working or flying in and out of the Airport may use Township businesses.

There being no further business to discuss, the meeting was properly adjourned at 11:13 p.m.

Janis A. Rambo
Township Secretary