

**MINUTES FOR MAY 12, 2020**  
**VALLEY TOWNSHIP BOARD OF SUPERVISORS**

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, May 12, 2020, via virtual meeting through *Go To Meeting*.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:40 p.m. Those participating in the meeting were Supervisors Christopher Lehenky, Kathy O'Doherty, Sharon Yates, and Carmen Boyd. 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 on April 28, 2020, at 7:00 p.m. via conference call regarding litigation matters, continuity of service under the Disaster Emergency Declaration, and personnel matters as well as prior to this evening's meeting at 6:30 p.m. via conference call regarding litigation and personnel matters.

**CITIZEN COMMENTS ON AGENDA ITEMS**

None. 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.

**APPROVE MINUTES AS WRITTEN**

**Ms. Yates made a motion, seconded by Ms. Boyd, to approve the minutes of the April 7, 2020, Board of Supervisors meeting.** The motion passed with Mr. Lehenky abstaining.

**APPROVE PAYMENT OF BILLS**

**Mr. Lehenky made a motion, seconded by Ms. Yates, to approve payment of bills as presented.** The motion passed unanimously.

**BOARD GENERAL COMMENTS:**

Ms. Proctor referenced items listed at the end agenda noting suspension of activities such as drop off eWaste, motion detector sales, and movie ticket sales due to the office being closed to the public. The next mattress and tv pick up is scheduled for May 26, 2020. Pre-paid fees apply.

**CITIZEN'S REQUEST TO BE ON THE AGENDA**

Stefanie Tarloski – Ms. Lewis noted that the Zoning Officer is taking care of answering zoning-related questions with Ms. Tarloski regarding property at the corner of St. George Street and West Lincoln Highway.

**SOLICITOR'S REPORT**

Discussion/consideration to adopt a Resolution to implement certain property tax penalty relief provisions related to Act 15 of 2020 – Ms. Sundquist reported that the Chester County Treasurer's office, the Township's appointed real estate tax collector, confirmed that their system is able to process the penalty relief is waived by the Township if paid by December 31, 2020. **Mr. Lehenky made a motion, seconded by Ms. Yates, to adopt Resolution 2020-15, a Resolution to Implement Certain Property Tax Penalty Relief Provisions Related to Act 15 of 2020.** The motion passed unanimously.

Consideration to ratify the publicly approve the Consent Order and Agreement between Valley Township and the Pennsylvania Department of Environmental Protection – **Ms. Boyd made a motion, seconded by Ms. O'Doherty, to ratify and publicly approve the Consent Order and Agreement between Valley Township and the Pennsylvania Department of Environmental Protection, dated April 28, 2020, and authorize payment in the amount of \$3,000 as to the settlement and required submission of water system monitoring and service plans.** The motion passed unanimously.

**ENGINEER'S REPORT**

Consideration to approve Change Order #2 for Hemlock Avenue Bridge Project – Mr. Ellis reported that DCD has provided approval for the proposed pavement rehabilitation change order work between Hemlock Avenue and Spruce Street. After review of the alternatives, **Ms. O'Doherty made a motion, seconded by Ms. Boyd, to authorize Change Order #2 to DESCCO Design and Construction, Inc. to perform pavement tests at various points along Hemlock Avenue between the bridge and Spruce Street to determine the existing pavement depth and the quality of the subgrade. Once the test is performed and if the Engineer determines that the existing pavement depth and subgrade are not adequate for mill and overlay, the scope will include full depth paving in the amount of \$42,278.58; however, if the existing pavement depth and subgrade are adequate for a mill and overlay, the change order amount to be approved to the mill and overlay is \$23,882.40.** The motion passed unanimously.

Consideration to approve Storm Sewer Work to be done in conjunction with Hemlock Avenue Bridge Project – Mr. Ellis reported that a quote had been obtained from DESCCO Design and

Construction, Inc. for the replacement of deteriorated storm sewer system along Hemlock Avenue in the amount of \$10,450.40. The quote includes prevailing wage rates and is under the Pennsylvania bid threshold. DCD is agreeable to this work being done under the CDBG grant for Hemlock Avenue Bridge Rehabilitation contract. **Mr. Lehenky made a motion, seconded by Ms. Yates, to issue a purchase order to DESCCO Design and Construction, Inc. for the replacement of deteriorated storm sewer along Hemlock Avenue in an amount not to exceed \$10,450.40.** The motion passed unanimously.

At this time, Ms. Sundquist departed the meeting.

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 II – Mr. Ellis reported that they received and have reviewed a tot lot layout and equipment submittals and have provided comments to the developer. Mr. Ellis advised that he may have proposals to submit to the Board of Supervisors at their next meeting for consideration.
- Valley Suburban Center – Pennoni has reviewed a PennDOT permit application for traffic signal improvements. The Township has to be the applicant since the Township owns the signal. The improvements are required as part of the development's HOP and include left turn phase video detection, left and right turn lane re-striping extensions, and pedestrian crossing signal replacements. A Resolution will be required with the permit application and is anticipated to be on the May 19, 2020, agenda for consideration.
- Hemlock Avenue Bridge Replacement – Mr. Ellis stated that DESCCO plans to pour the deck tomorrow (May 13). Mr. Ellis also reported that the County will permit the project inspection costs to be submitted with reimbursement as the project is coming in under the grant award.
- Comprehensive Plan Update – Mr. Ellis inquired about moving forward with a presentation to the Board of Supervisors. It was the consensus of the Board to begin the May 19 meeting at 7:00 p.m. to include the consultant's Draft Comp Plan Review in order to keep the project moving forward. Ms. Proctor set the Executive Session for May 19 to begin at 6:00 p.m.
- CDBG Applications – Mr. Ellis reported that he attended the pre-application meeting last week. He noted that the grants will cover 100% of construction costs but do not cover design and permitting. He reviewed the potential projects previously discussed for application: Bradley Avenue Bridge Replacement; Valley Crossing Stormwater Basin Retrofit; and Wagontown Road Reconstruction. He stated that the Bradley Avenue Bridge project has an estimated construction cost of \$320,000 with design and permitting of \$80,000; Valley Crossing Stormwater Basin Retrofit project is estimated at \$200,000 with design and permitting of \$50,000. Mr. Ellis also noted that the Valley Crossing project is a MS4/TMDL project. Mr. Lehenky stated that he feels the priority should be the Bradley Avenue Bridge Replacement and noted that he has previously expressed concerns projects that may be the requirement of the HOA. Mr. Ellis noted that he does not believe the Valley Crossing basin is the result of maintenance issues but that the design standards used over 20 years ago are not applicable today. Mr. Ellis further reviewed the recommendation to continue to resubmit the Wagontown Road project to

keep the County engaged to seek federal funding to help us. He noted that the design is between \$150,000 to \$200,000 and that PA American Water Company has agreed to pay for half of the design costs. Mr. Ellis suggested that the Township engage the City of Coatesville and reach out to local officials to see if the County would open their CRP (Community Revitalization Program), which is eligible to the Chester County boroughs and the City of Coatesville, to Valley Township to apply as a good portion of the road is within the City of Coatesville. Ms. Lewis and Ms. Proctor stated that they would begin contacting the City of Coatesville and local officials. The Board agreed to move forward with submission of all three projects. Mr. Ellis stated that Resolutions for the grant applications would be presented at the next meeting.

- MS4/TMDL Plan – Mr. Ellis reported that upon further communications with DEP it was determined that revised TMDL Plan calculations may not be necessary.
- Hillview “Phase 3” – Pennoni discussed the proposed connection of Hillview Phase 3, in Caln Township, roads to existing Hillview roads with the design consultant. The consultant submitted a connection plan that they will review.

At this time, Mr. Ellis departed the meeting.

## **MANAGER’S REPORT**

Discussion /consideration to adopt a Resolution amending the Emergency Service Providers for Valley Township - Ms. Lewis advised that the Resolution was a request from Westwood Fire Company and that she had hoped Chief McWilliams would be available to discuss the reason for the Resolution. The Board tabled any decision on the proposed Resolution to the next meeting and requested Chief McWilliams to participate.

Discussion/consideration to suspend the street sweeping program for 2020 – Ms. Lewis noted that anti-skid was not used during the mild winter and proposed as a cost savings to not contract for street sweeping in 2020. The Board concurred.

Discussion/consideration regarding financing for public works truck – Ms. Lewis reported that she has obtained two quotes and is waiting for one additional quote from Fulton Bank. One quote received was at a rate of 3.19% with deferred payment to 2021 and the other was at 2.98% with first payment due this year. The Board concurred to table until the third quote was obtained. Ms. Proctor noted that we have already deferred the first payment on the new police car to 2021 so that would be two loan deferrals to 2021.

Discussion/consideration regarding moving company for Township Building Relocation – Ms. Lewis noted that two proposals have been reviewed and the recommended company is O’Brien. After discussion, it was requested that O’Brien’s updated proposal would be forwarded to the Board for review and tabled for decision until the next meeting.

Planning Commission Meetings/Payment for Attendance – The Board reviewed the inquiry from Mr. Manning regarding time spent on review of the Vietri submission. Ms. Yates commented that the policy is to pay Planning Commission members for meetings attended. They will be having virtual meetings in June and July where they Vietri application will be reviewed.

## OLD BUSINESS

Consideration to ratify resignation of Christopher Lehenky as Roadmaster retroactive to January 1, 2020 – Mr. Lehenky’s letter, dated April 21, 2020, resigning as Roadmaster retroactive to January 1, 2020, was before the Board. **Ms. O’Doherty made a motion, seconded by Mr. Lehenky, to ratify Mr. Lehenky’s resignation as Roadmaster retroactive to January 1, 2020.** The motion passed unanimously. Ms. Yates thanked Mr. Lehenky for his years of service as Roadmaster and his contributions.

## NEW BUSINESS

Discussion/consideration to approve John Winters’ request for 160 hours of paid leave following the birth of his child in August – Township Secretary reviewed that Mr. Winters has submitted a request to take 160 hours (4 weeks) of paid vacation/personal/sick leave following the birth of his child with an anticipated due date of August 4, 2020. According to the *Personnel Manual*, no more than two weeks leave shall be taken in succession unless special permission is granted by the Board of Supervisors. **Ms. O’Doherty made a motion, seconded by Mr. Lehenky, to grant John Winters 160 hours of paid leave, using his accrued vacation/personal/sick time, following the birth of his child in August.** The motion passed unanimously.

Discussion/consideration regarding request to waive interest and penalty for 331 Baltusrol Drive for 4Q 2019 utility bill – Letter was received regarding the penalty and interest on a high quarterly bill due to two leaking toilets. The bill was paid in full with a bank-issued check that as requested on January 31 but not issued by the bank until February 4. After a lengthy discussion, **Ms. O’Doherty made a motion, seconded by Ms. Yates, to issue a \$40 credit to the account for 331 Baltusrol Drive.** The motion passed by a 3-2 vote with Ms. Proctor and Mr. Lehenky voting nay.

Discussion/consideration to reschedule the June 2, 2020 Board of Supervisors Meeting – Due to the Primary Election rescheduled for June 2, 2020, **Mr. Lehenky made a motion, seconded by Ms. Boyd, to reschedule the first monthly meeting of June from June 2 to June 3.** The motion passed unanimously.

Discussion/consideration to hold the June and July Board of Supervisor meetings via “virtual meeting” using the *Go To Meeting* platform – **Ms. O’Doherty made a motion, seconded by Mr. Lehenky, to hold the June and July Board of Supervisor meetings via “virtual meeting” using the *Go To Meeting* platform.** The motion passed unanimously.

## CITIZEN COMMENTS

None

There being no further business to discuss, the meeting was properly adjourned at 9:46 p.m.

Janis A. Rambo  
Township Secretary