

MINUTES FROM SEPTEMBER 18, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, September 18, 2018, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:44 p.m. Those in attendance were Supervisors Kathy O'Doherty; William Handy, Sr.; Joe Sciandra; and Patrice Proctor. Supervisor Christopher Lehenky was absent. Also, in attendance were Frank Williamson, Jr. of The Arro Group (Interim Manager); Michael Ellis of Pennoni Associates, Inc. (Township Engineer); and Alan J. Jarvis and Andy D.H. Rau of Unruh, Turner, Burke & Frees (Township Solicitors). An executive session was held at 6:30 p.m. prior to the meeting to discuss personnel issues.

CITIZENS' COMMENTS ON AGENDA:

None

Mr. Sciandra made a motion to take the agenda out of order. Ms. O'Doherty seconded the motion. Question: Ms. O'Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

DEPARTMENT REPORTS:

Public Safety – Officer Heiney reviewed the monthly report for August. He noted that the Department handled 256 calls for service in August, of which there were 3 criminal arrests, 41 traffic citations issued, and 4 parking tickets issued. Officer Garner was dispatched to a single vehicle fatal crash which was also covered by Officer Chieffo and investigated by Officer Parker. Officer Faddis handled her first accident report which involved an over-turned trailer and through her investigation determined that the cause of the accident was due to the load in the trailer shifting as the driver was making his turn. It was also noted that the City of Coatesville Police Department will no longer be offering the outside agency prisoner housing program effective January 1, 2019.

Fire/Ambulance – Mr. Williamson reported that the Westwood Fire Company responded to 20 calls in the month of August, of which 14 calls were in Valley Township. Mr. Williamson also reported that the Westwood EMS reported to 98 total calls, of which 42 were in Valley Township. Station 144 responded to 119 calls.

Emergency Management – Nichole Sciandra, Deputy EMC, gave the monthly Emergency Management Report. Ms. Sciandra reported that no incidents occurred. The EMC is working on the NIMS compliance form that is required from the Chester County Department of Emergency Services. The EMC and Deputy EMC participated in the radio communication exercise with the Chester County DES. Mr. Sciandra, EMC, reported that the fall CERT class has 32 participants this fall and one is a Valley resident. He noted that the series of classes will be held in the spring as well and encouraged anyone who has not taken the class to do so.

OLD BUSINESS:

Discussion/consideration to approve the Villages of Hillview subdivision plan – Mr. Ellis reported that all comments have been addressed. **Mr. Sciandra made a motion to approve the Preliminary/Final Subdivision Plan for “Subdivision and Street Dedication/Villages at Hillview HOA” dated July 9, 2018. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

SOLICITORS’ REPORTS:

Mr. Rau thanked Mr. Jarvis for meeting with him to begin the transition. He noted that they have been reviewing the correspondence regarding the Pilquist conditional use hearing and will await action by the Board on the agenda.

OLD BUSINESS CONTINUED:

Discussion/consideration regarding the Pilquist Enterprises Inc. conditional use application – **Mr. Sciandra made a motion to accept the grant extension of time period to November 30, 2018, for the BOS’ hearing for the Pilquist Enterprises, Inc. Conditional Use Hearing application. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes. **Ms. O’Doherty made a motion to set the Pilquist Enterprises Inc. conditional use hearing for October 16, 2018, at 6:30 p.m. pending applicant availability. Ms. Sciandra seconded the motion.**

SOLICITORS’ REPORTS CONTINUED:

Mr. Jarvis reported on the following:

- Mr. Jarvis reported that he met with Mr. Rasiul to review deeds of dedication. He noted that one at Valley Crossing was missing. Mr. Rasiul will begin the process to ensure that this is dedicated.
- Mr. Jarvis reported that Valley Suburban sent notification that they would not be attending this evening’s meeting but will come to the October 2, 2018, to request final approval of their subdivision plan. He noted that their current extension is good through October 2, 2018. He also reported that he reviewed the *Declaration of Easements* submitted by the applicant and will pass his comments on to Mr. Rau. He also noted that *Declaration of Homeowners Documents* were also provided for his review which he will also forward to Mr. Rau for review.
- Mr. Jarvis reported that he has drafted the *Confession of Judgement* against Devon Services (London Tract a/k/a Pleasant Valley). He advised that he will forward to Mr. Rau and that if he prefers he can file it under his name as Solicitor.
- Mr. Jarvis confirmed that he would officially retire as Solicitor effective October 31, 2018.

At this time, Mr. Jarvis departed the meeting.

ENGINEER'S REPORT:

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

Mr. Ellis noted that Pennoni Associates evaluated approaches to closing a section of Buckthorn Drive from Tuxford Lane to Robinson Avenue and provided the Township with information regarding the impact on liquid fuels eligibility and the budgetary costs associated with implementing the closure. Ms. Charlotte Walton, 15 Robinson Lane, advised that she has concerns with safety. Mr. James Walton, 15 Robinson Lane, noted that there are two children on the street who ride a school bus; however, there are approximately 12 buses a day that pass through the development on Robinson between the morning hours of 6:30 a.m. – 7:30 a.m. and in the afternoon between 4:00 p.m. and 5:00/5:30 p.m. He noted that the street is too narrow. Mr. Frank Houck, 40 Robinson, also reiterated the safety concerns and talked about the truck traffic and the rate of speed by the cars. It was noted that a *speed limit* sign was knocked down two years ago and is still not back up.

Mr. Ellis noted that options to closing the section could be a chain across the area; jersey barriers; or demolition of the part of the road to be closed and replace with grass or grass pavers. There was discussion regarding the need to ensure emergency response vehicles could get through. Mr. Sciandra addressed questions regarding widening the road. He noted that it was reviewed years ago when the Roundhill Development was being proposed and that it was cost prohibitive to either purchase land or condemn and take the land needed. He also noted that if the road was widened, there would be a need to address the stormwater impact which would be another cost.

The Board agreed and authorized Pennoni Associates to conduct a field/site visit and prepare an analysis report for the Board's consideration.

Mr. Walton thanked the Board for listening to their concerns.

The Board also reviewed the issue of continued runoff at 359 East Glencrest Road and authorized Pennoni Associates to prepare a feasibility analysis.

PLANNING COMMISSION REPORT:

Michele Allen reported on the Planning Commission's meeting of September 11, 2018. She reiterated what was mentioned previously by Mr. Ellis that representation from Pilquist Enterprises was present to review the conditional use application for use of a building within the Highlands Corporate Center (Building #4) for use of office and warehouse. She noted that Pilquist, also doing business as NaturalLawn, is a natural lawn care company providing an alternative to chemical-based lawn care. There would be 4 employees on site and 15 technicians who would report to the facility and depart with the trucks. Ms. Allen reported that the Planning Commission recommended granting Conditional Use approval condition upon fulfilling the items in the August 9, 2018, Pennoni Review Letter.

Ms. Allen also reported that the Planning Commission reviewed an informal sketch plan presented by Vic Kelly of Commonwealth Engineers and Doug Howell representing Bridgewater RE LLC, Micronics America, a company that makes DNA shipping and packing products and clean room Class 7 product to store the DNA. It was noted that they proposed a building that would be built in two phases. The first phase would have 15 employees with a proposed building out of 15,000 square feet. There are 50 parking spaces and a loading dock proposed – with one truck per day. It was noted that the site is on 6.5 acres with some wetland. It appeared that the new sketch plan was similar to a 2011 sketch plan which was also done by Commonwealth Engineers. It was noted that this plan would require a determination by the Zoning Officer regarding which side is the “front yard”.

MANAGER’S REPORT

Discussion/consideration contracting with Careers USA for temporary laborers for public works – Mr. Williamson noted that Careers USA has notified the Township that they have worked out issues with their workers compensation insurance. Mr. Williamson also noted that he has not any response from International Tradesmen. After discussion, **Mr. Sciandra made a motion to authorize the use of four temporary laborers through Careers USA at the rate of \$33.81 per hour pending final solicitor review of the contact. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to extend offers of employment to the next 2 candidates on the laborer list as the 2 approved candidates have until September 19 to respond – Mr. Williamson noted that contingent offers of employment were made to two laborer candidates following the September 4 meeting. Both individuals advised of their interest and that they would be in to the sign the release forms. To date, neither candidate has come in to sign the background release or scheduled their medical/drug screening appointment. Follow up letters were mailed via certified mail to the two candidates advising if they did not respond by the close of business on September 19 that we would consider the lack of response as turning down the job offer. Mr. Williamson requested authorization to extend conditional job offers to the next two laborers. **Mr. Sciandra made a motion to authorize conditional job offers to two additional laborer applicants in the event the first two candidates do not respond by the close of business on September 19, 2018, with signing the release for background check and scheduling of drug testing and physical. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes. Mr. Williamson noted that the confirmation offer letters to the next two candidates will include language that their release form for background check and scheduling of drug testing and physical must be completed within one week.

Ratify polling of Board members for a letter in support of the Chester County Airport’s Multi-Modal Transportation grant application – **Mr. Sciandra made a motion to ratify the Chairwoman’s signing a letter in support of the Chester County Airport’s Multi-Modal Transportation grant application. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion to contract for steel/weld inspections at the new municipal building – Mr. Williamson noted that Mr. Rau advised that the Township could use Pennoni Associates for the steel/weld

inspections as they would not have any conflict of interest. **Ms. O’Doherty made a motion to approve Pennoni Associates Inc. to conduct weld inspection services at the township building as specified and in accordance with the architect’s direction, subject to staff and solicitor approval of the scope of services. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion for comments on East Fallowfield Township’s official map – Mr. Williamson reported that we have received, as per the Municipal Planning Code, a copy of East Fallowfield’s proposed official map. They have a hearing scheduled for October 23, 2018 at 6:30 p.m. Mr. Williamson requested if the Board has any comments to advise him at or before the Board’s October 2, 2018 meeting.

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

Follow up discussion with regards to Ken’s Towing as part of the Township’s towing rotation – Mr. Williamson reported that he confirmed that Ken’s Towing personnel does wear approved protection safety equipment, participates in EITC training through AAA, and has the required insurance. **Ms. O’Doherty made a motion that based on Mr. Williamson’s follow up that Ken’s Towing be placed back into rotation with a probation period of two months towing over a six-month period and for Mr. Williamson to issue a follow up letter. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – nay; Ms. Proctor – yes.

Mr. Sciandra made a motion to add under “Manager’s Report, Item #6” consideration regarding possible stormwater pipe repair. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration regarding Possible Stormwater Pipe Repair – Mr. Williamson reported that a 16” plastic stormwater pipe on Euclid Street (Park Street) that should be repaired or replaced prior to the planned paving that is scheduled as part of the 2018 Road Program. He reported that it was recommended by the Township Engineer to remove the existing pipe and install a 12” ductil iron pipe, connect it to the existing inlet and then backfill with stone. Mr. Williamson noted that due to the current labor issue within public works he did not know if our own personnel could address. A quote was received from Fidelity Contracting in the amount of \$5,800 to perform the work. **Ms. O’Doherty made a motion to authorize Fidelity Contracting to perform the stormwater pipe replacement with a 12” ductil iron pipe on Euclid Street/Park Street as per their proposal in the amount of \$5,800. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

OLD BUSINESS CONTINUED:

Discussion/consideration to approve Valley Suburban Center Subdivision and Land Development Plan – Due to the developer’s request to postpone to the October 2, 2018 meeting, **Mr. Sciandra made a motion to table any decision on the Valley Suburban Center Subdivision and Land Development Plan approval. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

NEW BUSINESS:

Consideration to approve transfer of funds from PSDLAF to Coatesville Savings Bank General Fund for contractor payments in the amount of \$296,628.39 – **Mr. Handy made a motion authorizing the transfer of funds from PSDLAF to Coatesville Savings Bank General Fund in the amount of \$296,628.39 for contractor payments. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve payment applications for new township building construction – **Mr. Handy made a motion to authorize payment applications for the new township building construction with payment to made following transfer of funds as follows: H.B. Frazer - \$15,249.24; Trefz Mechanical Inc. - \$132,395.94; Perrotto Builders - \$117,905.46; Triangle - \$18,000 and Jay R. Reynolds - \$13,281.75. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve the 2019 Minimum Municipal Obligation for Uniform and Non-Uniform Pension Funds – Secretary reviewed the 2019 MMO for the Uniform and Non-Uniform pension plans. **Ms. O’Doherty made a motion to approve the Uniform Pension Plan 2019 MMO in the amount of \$31,209 and the Non-Uniform Pension Plan 2019 MMO in the amount of \$79,551. Mr. Handy seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding Hayti Park use application for September 29, 2018 from 3:00 to 6:00 p.m. – The Board discussed that the use of the park is for the same date as Valley Day and there will be parking and activity at the Township Building parking lot. The requestor estimated attendance of approximately 30-40 people. The Board’s consensus was to deny the requested due to conflict of activities at the Township Building.

Follow up regarding Public Works personnel working at Valley Day – It was discussed that the public works department may not have volunteers to work at Valley Day. After discussion, **Mr. Sciandra made a motion to approve four public works employees who volunteer to work at Valley Day to take one day off in the pay period without compensation but the hours worked at Valley Day will be at the over-time rate. Further, if we do not have volunteers to work at Valley Day, mandatory overtime will be required for that day. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

APPROVAL OF MINUTES:

Mr. Handy made a motion to approve the minutes from the September 4, 2018, meeting. Ms. O’Doherty seconded the motion. Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

TREASURER’S REPORT

The Treasurer’s Report was read.

MOTION TO PAY BILLS:

It was noted that the invoice noted to be payable to “Edible Arrangements” in the amount of \$1,367.12 should be payable to “Gold Star Products Inc.” for pot hole patch kits in the amount of \$1,367.12. **Mr. Sciandra made a motion to pay bills with the correction noted. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Handy – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

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 COMMENTS:

None

ADJOURNMENT:

There being no further business to discuss, the meeting was properly adjourned at 9:42 p.m.

Janis A. Rambo, Township Secretary