

MINUTES FOR APRIL 2, 2019 VALLEY TOWNSHIP BOARD OF SUPERVISORS

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, April 2, 2019, at the Township Municipal Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Chairwoman Patrice Proctor at 7:32 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, William Handy, Sr., and Patrice Proctor. Supervisor Joe Sciandra was absent. Also in attendance were Carol R. Lewis, Township Manager; Michael J. Ellis, P.E. of Pennoni Associates, Inc. (Township Engineer); and Andrew D.H. Rau of Unruh, Turner, Burke & Frees, Esquire (Township Solicitor). 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 confidential legal matters.

CITIZENS COMMENTS ON THE AGENDA:

Ms. Proctor noted that there was no one in attendance from the public.

APPROVAL OF MINUTES:

Ms. O'Doherty made a motion to approve the minutes from the March 19, 2019, Public Hearing. Mr. Handy seconded the motion. The motion passed unanimously.

Mr. Handy made a motion to approve the minutes from the March 19, 2019, Board of Supervisor meeting. Ms. O'Doherty seconded the motion. The motion passed 3-0 with Mr. Lehenky abstaining as he was not in attendance at that meeting.

MOTION TO PAY BILLS:

Ms. O'Doherty made a motion to pay bills as presented. Mr. Handy seconded the motion. The motion passed unanimously.

BOARD GENERAL COMMENTS:

Ms. Proctor noted that annual Easter Egg Hunt would be held on April 19, 2019, with eggs being scattered at 1:00 p.m. and the Hunt starting at 3:00 p.m. The Annual Community Clean Up Day will be held on May 4 and the Annual Shredding and eWaste event will be held on May 11 at the Reeceville/North Brandywine School Complex.

SOLICITOR'S REPORT:

Mr. Rau noted that he covered all items with the Board in Executive Session.

ENGINEER'S REPORT:

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

Engineering Report Overview - Mr. Ellis noted the following from the Engineer's Report:

- Oakcrest Phase I – Mr. Ellis reported that they had discussions with LaSalle and are waiting to hear back if they are formally going to request an updated punch list. The last formal report was issued in December 2017.
- Oakcrest Phase II – Mr. Ellis noted that the developer addressed the undermined sidewalk. He noted that they have repairs to sidewalks and the tot lot. He noted that he has advised the developer that they should present to the Board what thy plan to install in the tot lot.
- Amycel – Mr. Ellis reported that the consultants are working on the planning module for the pump station.
- Hemlock Avenue Bridge Replacement – Mr. Ellis reported that he met with DEP and they confirmed a simplified permit approach is satisfactory. Submission should be made within the next week.
- Recreation & Open Space Plan and Existing Township Building Master Plan – Mr. Ellis noted that the Open Space Plan is about finalized. He noted that it was decided not to pursue this year's DCNR grant as we do not have an agreement in place with the school district. He reported, however, that there is a grant through DCED's Greenways, Trails & Recreation Program that appears would cover demolition of the current Township Building if the space would ultimately be used for park use. He noted that there is a 15% match and funding up to \$250,000. Deadline for the grant application is May 31, 2019. The Board concurred that Mr. Ellis should attend a pre-application meeting to inquire if the project would be eligible.
- Water & Sewer – Mr. Ellis reported that all annual water and sewer reports have been submitted to DEP. He also reported that DCED is fine with the changes in scope with regards to the bypass pump being inside a wet well. Mr. Ellis gave an overview of the Chapter 94 data.
- Irish Alley Pavement Damage – Ms. O'Doherty inquired if we have had any update from the property owner. Mr. Ellis stated that he would reach out to the property owner as he has not received any quotes or communication from him recently.

Discussion for Public Meeting for Recreation and Open Space Comp Plan – The Board concurred to hold a public meeting to review the proposed Recreation and Open Space Comprehensive Plan at 7:00 pm on May 7, 2019 prior to the Board's public meeting. Ms. Proctor noted that Executive Session would be held at 6:00 p.m. that evening.

Consideration/authorization to pursue a PennDOT HOP permit for Hemlock Avenue Bridge for \$3,000 – Mr. Ellis advised that he does not believe an application needs to be made as of now and that that he is looking at alternate scenarios. He recommended, and the Board concurred, to table at this time.

At this time, Mr. Ellis departed the meeting.

MANAGER'S REPORT:

Discussion/consideration regarding Blando matter (157 Rainbow Road) – **Mr. Lehenky made a motion, seconded by Ms. O'Doherty, to authorize a check be issued to Dean Blando in the amount of \$2,000 to be noted on the check "full and final settlement"**. The motion passed unanimously.

Discussion/consideration to approve ECMS Resolution and Agreement for accessing HOP permit information online – **Mr. Handy made a motion, seconded by Ms. O'Doherty, to approve the Agreement to authorize access to the Engineering and Construction Management System.** The motion passed unanimously. It was noted that it was the Board's consensus that the Agreement and Resolution required for electronic access be signed by the Chair and Secretary as required.

Verizon Franchise Agreement – There was discussion regards joining a municipal group (COG or Consortium) to look at the franchise agreements with Verizon utilizing Dan Cohen. Mr. Rau recommended that if the Board agrees to enter into an Agreement to check to see if the agreement has language that would state: *"The flat fees above do not include expenses, such as travel, postage and copying expenses, which are kept to a minimum and will be divided among all participating municipalities. They also do not include the unlikely possibility of extraordinary services outside the scope of services contained in this proposal or any significant unforeseeable developments. In the event of such extraordinary or unforeseeable developments, CLG will contact the affected municipality to discuss such developments prior to rendering services related to then. If such services were authorized, CLG would charge a fee of \$250 per hour, including travel time."* Mr. Rau recommended that if this language is included, he would recommend that the *"They also do not include the unlikely possibility of extraordinary services outside the scope of services contained in this proposal or any significant unforeseeable developments. In the event of such extraordinary or unforeseeable developments, CLG will contact the affected municipality to discuss such developments prior to rendering services related to then. If such services were authorized, CLG would charge a fee of \$250 per hour, including travel time."* be deleted. The Board asked that our current Verizon lease expiration date be provided in order to consider the direction that Board would like to take.

Yard Waste Collection – Ms. Lewis noted that as a result of a meeting with the Public Works Department, Brian Myers recommended that the Township revise their ordinance to begin yard waste collection in March.

At this time, Mr. Rau departed the meeting.

OLD BUSINESS:

Discussion/consideration regarding General Code Codification Inquiries – Ms. Lewis gave an update with the Codification project. She noted that that General Code had some questions regarding the formatting/appendix material, forms inclusion, binder color, and draft. The Board concurred that the color of the binder could be chosen by staff with a consensus preferring the burgundy as the current binders are blue. With regards to the appendix material, the Board

concurred with General Code's proposal to eliminate the Appendix material. It was noted that the new Code of Ordinances will contain a Disposition List which will list all ordinances in numerical order and their titles. The Disposition List will be updated with every supplement. The Board also concurred that the Subdivision and Land Development forms do not need to be included as they are posted on the website or available at the office and from time to time are updated. It was noted that General Code recommended that if no significant issues arise during the Code updating work, they would proceed to publication without formally submitting a draft which would shorten the time frame for delivery of the Code. Ms. Lewis noted that a list of missing ordinances had been submitted to the Township and that the Township Secretary has been able to finding the documentation or clarify any missing ordinance numbering.

Discussion/consideration regarding extension of Hill International contract – Mr. Handy made a motion, seconded by Mr. Lehenky, to extend the contract with Hill International for four days a week to June 10, 2019. The motion passed with a 3-1 vote with Ms. O'Doherty voting nay.

NEW BUSINESS:

None

CITIZEN'S COMMENT:

None

There being no further business to discuss, the meeting adjourned at 8:30 p.m.

Janis A. Rambo
Township Secretary