

## **MINUTES FOR APRIL 6, 2021**

### **VALLEY TOWNSHIP BOARD OF SUPERVISORS**

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, April 6, 2021, via virtual meeting through *Go To Meeting*.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:50 p.m. Those participating in the meeting were Supervisors Kathy O'Doherty, Sharon Yates, Carmen Boyd, Casey Max Leidy, 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); Scott T. Piersol, Township Manager, and Kris Lenhart, Township 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 prior to the meeting beginning at 6:00 p.m. to review real estate and litigation issues. Ms. Proctor also noted that the Board of Supervisors met in Executive Session following part-time police interviews on March 31, 2021.

#### **BOARD GENERAL COMMENTS**

Ms. Proctor reported that Vernon Garner was sworn in as a full-time police officer on April 5, 2021. Ms. Proctor noted that on the website is a monthly Newsletter for April which includes the monthly meeting dates for the month, the bulk collection dates, information regarding the Community Clean Up Day, and the street sweeping dates. The intent is to post a monthly one-page newsletter and two mailed newsletters during the year.

#### **CITIZEN COMMENTS ON AGENDA ITEMS**

None.

#### **APPROVE MINUTES AS WRITTEN**

**Ms. Boyd made a motion, seconded by Mr. Leidy, to approve the minutes of the March 16, 2021, Board of Supervisors Meeting.** The motion passed unanimously.

#### **APPROVE PAYMENT OF BILLS**

**Ms. Boyd made a motion, seconded Mr. Leidy, to approve payment of bills as presented.** The motion passed unanimously.

## **EMERGENCY MANAGEMENT MONTHLY REPORT**

No report was provided/given.

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

Toni Morton, HHS – Ms. Morton stated to keep the concept of a museum and community center at the former Passtown School at 890 West Lincoln Highway, she again asked to be placed on the agenda. She advised that it is difficult for the Hayti Historical Committee to work fundraising and costs for the building when they do not have site control. Ms. Morton requested that the Board of Supervisors transfer ownership of the building to the HHS for \$1.00. The consensus of the Board is that they are not in a position this evening to consider the request.

Ms. Sundquist requested that they put their request in writing regarding what they want now and what they would want later. She also requested documentation for the formation of the HHS and other information such as their Articles of Incorporation, Bylaws, and proof of their non-profit status.

## **SOLICITOR'S REPORT**

Ms. Sundquist reported that she is working with Township administration and Pennoni on development and personnel items.

## **OLD BUSINESS**

Discussion regarding Oakcrest Phase 2 outstanding punch list – Mr. Ellis reviewed the remaining punchlist work for Oakcrest 2. He stated in 2019 there were 156 items and as of December 2020, 80% of the work has been completed; however, several significant items remain: pedestrian bridge/sidewalk; detention basin; and restoration of open space on West Chestnut Street. He noted that a new construction manager and new site contractors have been hired by the developer and a meeting was held on March 26. The construction manager reported that he is in the process of getting the new contractor(s) under contract and a schedule for the punchlist work will be developed. It is their goal to be complete this summer.

Comments were received by a participant under the sign in name of "FTraeger" using the "typed" comments as he was not participating with audio. He expressed his concerns regarding the pedestrian bridge and sidewalk for safety and felt this would further result in increased ATV vehicles trying to use the bridge. It was noted that bollards would be placed that would make access by vehicles prohibitive. "FTraeger" also questioned the vote/survey by the Oakcrest residents that did not want the bridge. Ms. Sundquist noted that the "survey" was done through a mechanism such as "Survey Monkey" which did not meet the requirements of the Uniform Planned Community Act (UPCA). Guidelines for such a vote are outlined under the UPCA; however, it would still require the agreement of the Township and a legal process through the HOA which is a very complex process.

## ENGINEER'S REPORT

Discussion/consideration to accept Valley Square's Development, LP's request to amend the waiver/modification of Section 304.8 to grant a further extension of the timeframe to record the Valley Suburban plans up to and including December 14, – Representing Valley Square Development were Paul Leppard, Paige Maz, Richard Natow, Craig Lewis, and Bret Altman. The project history/status was reviewed and the impacts and hurdles over the last year with COVID. They noted that they are still working with PennDOT for the issuance of the Highway Occupancy Permit. Ms. O'Doherty noted that December was still quite a bit in the future and inquired if the HOP could possibly be issued by the current extension of June 14, 2021. Mr. Lewis restated they are eager to move forward but they do not believe they will be able to get the plans recorded by the current June deadline. Mr. Leppard noted that revised HOP plans were submitted about two weeks ago and review comments could be at least another three weeks. Ms. Sundquist recommended that this request be revisited at the May 4 meeting to see if they have heard back from PennDOT by then.

Ms. Morton of the Hayti Historical Society inquired when the development begins, would it create jobs for people in the community. Mr. Leppard advised that the next step would be for the project to be assigned to a builder so he could not speak on behalf a builder yet to be chosen. Mr. Ellis noted that this is a three-lot subdivision, and that the land development currently approved is for Phase 1, for the development of the townhouses.

The consensus of the Board was to table any decision regarding the extension to record the Valley Suburban Plan to the May 4, 2021, meeting.

At this time, Ms. Sundquist departed the meeting.

Discussion/consideration to approve Payment Application #4 to Marino Corporation for Concord Street Project in the amount of \$104,640.09. – Mr. Ellis reported that the final paving was done today and there is a possibility that the road may be opened as early as April 9, weather permitting. Based on the recommendation of the Township Engineer, **Ms. Boyd made a motion, seconded by Ms. Yates, to approve Payment Application #4 to Marino Corporation for Concord Street Project in the amount of \$104,640.09.** The motion passed unanimously.

Discussion regarding 2021 Road Program and Road Striping – Mr. Ellis provided suggested stripping and road paving options. Ms. O'Doherty inquired about the durability of waterborne versus thermoplastic for stripping. Mr. Ellis advised waterborne is approximately two years and thermoplastic is five years. Also discussed were options to improve safety such as rumble strips and/or reflectors. There was discussion regarding stormwater issues on West Chestnut Street (Second Avenue to West Lincoln Highway). It was noted that additional inlets would be necessary on West Lincoln Highway. Mr. Piersol recommended to obtain pictures in order to contact PennDOT to try and get this on their maintenance program. Options for road paving was reviewed. After discussion, the consensus of the Board was for Pennoni to proceed with the scope development and to add the next agenda for consideration to proceed.

Discussion regarding formation of a Task Force for the Lincoln Highway Corridor Master Plan - Mr. Ellis reviewed that the Board will need to consider appointment of a Task Force/Steering Committee for the Lincoln Corridor Master Plan which is being partially funded through a VPP Grant. Mr. Ellis reviewed the scope of work and noted that it is a 12-month project. In addition to the consultant team of Pennoni and TCA, there should be a representative from the Board of Supervisors, the Planning Commission, and a staff representative which traditionally is the Township Manager. Other potential members could be a commercial representative, a residential representative, someone from the Airport Authority and/or the School District. It is assumed that the first meeting would be in the June or July timeframe. It was noted to place the item back on the next meeting agenda.

Mr. Ellis submitted the Engineer's Report which is on file in the Township Office. The following items from the report were reviewed:

- Water/Sewer Asset Sale – Mr. Ellis reported that settlement date is on track for a November 4 closing.

At this time, Mr. Ellis departed the meeting.

## **MANAGER'S REPORT**

Mr. Piersol reported at the present time, the 2020 EIT tax return deadline for local EIT which is filed through Keystone Collections is still April 15. He also reported on attending, virtually, the Second Century Alliance update meeting. He also attended a pension update for the Township's uniform and non-uniform plans. He noted that a resident donated a print of the signing of the Constitution for display at the Township Offices.

## **NEW BUSINESS**

Discussion/consideration to remove Larry Brickus from probationary period – **Ms. O'Doherty made a motion, seconded by Ms. Boyd, to remove Larry Brickus from probationary period.** The motion passed unanimously. The Board noted the good job that Mr. Brickus is doing for the maintenance of the Township Building.

Consideration to accept resignation of Kate Kelly from the EAC – **Ms. Yates made a motion, seconded by Mr. Leidy, to accept the resignation of Kate Kelly from the EAC due to her relocation from the Township.** The motion passed unanimously.

Consideration regarding filling the vacant seat on the EAC – Mr. Piersol noted that Shawn Leonard had advised that he was interested in any opening that the Township may have. Ms. Yates was asked to reach out to Mr. Leonard to ensure his willingness to serve on the EAC and the appointment could be placed on the next meeting agenda.

Consideration to adopt a Resolution amending the Non-Permit Fee Schedule – A revised Non-Permit Fee Schedule was presented for consideration to add a fee for Act 22 fees (police

recordings of body cams and/or dashcams if applicable) in the amount of \$100.00, the Vacant Property Fee of \$250.00, and to modify the Conditional Use Hearing fees to \$3,000.00 for all uses. **Mr. Leidy made a motion, seconded by Ms. O'Doherty, to adopt Resolution 2021-12, a resolution adopting the Non-Permit Fee Schedule.** The motion passed unanimously.

Consideration to authorize conditional offers of employment for part-time police officers – Mr. Leidy made a motion, seconded by Ms. Yates, to proceed to offer two part-time police officer candidates conditional offers of employment contingent upon satisfactory background check, psychological evaluation, drug screening and physical. The motion passed unanimously.

### **CITIZEN COMMENTS**

Lauren Young, 1046 Front Street – Ms. Young commented on the continued dirt bike/ATVs on the streets throughout the day. She noted that she is a nurse who works night shift. She said that these bikes/ATVs are out all day long and are getting worse. The noise prevents her from being able to sleep as well effecting the quality of life to be able to even sit out on their front porch. Allison Roelofs, 1075 Front Street, agreed with Ms. Young's statements. She added that she does not believe that the people operating these bikes are old enough to be on the road. Ms. Young added that she is surprised that no one has gotten hurt noting how they ride these vehicles to include doing "wheelies" and the speed. Ms. Roelofs added that there are a lot of "walkers" in the neighborhood as well. Gerald Davis, 833 Lafayette Street, noted that they are also on his street and surround roads and he believes that they originate from the 900 block of Lafayette Street. Mr. Piersol asked if anyone can provide any specifics to include description of the vehicle(s), clothing, helmet, and any description of the drivers (such as age, race, body type, etc.).

The Board advised that they will continue to bring these complaints to the Police Department.

There being no further business to discuss, the meeting was properly adjourned at 10:18 p.m.

Janis A. Rambo  
Township Secretary