

## **MINUTES FOR SEPTEMBER 7, 2021**

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

The first monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, September 7, 2021, via hybrid to allow participation at the Valley Township Building at 1145 West Lincoln Highway, Coatesville, PA or through the *Go To Meeting* platform.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:35 p.m. Those participating in the meeting at the Township Building were Supervisors Kathy O'Doherty, Sharon Yates, Carmen Boyd, Casey Max Leidy, and Patrice Proctor. 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); Glenn D. Eckman, Chief of Police; and Kris Lenhart, Township Roadmaster, who all participated virtually and Peter Barsz, CPA, Treasurer and Scott T. Piersol, Township Manager, who were present at the Township Building.

Mr. Piersol noted the format for the hybrid meeting for those wishing to comment and requested those participating virtually keep audio on mute and unmute at designated time to speak or when called upon by the Board of Supervisors.

#### **ANNOUNCEMENT OF MEETINGS/ACTIONS OF THE BOARD**

Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to the meeting beginning at 6:00 p.m. to review possible litigation and personnel issues. Ms. Proctor also noted that the Board of Supervisors met in Executive Session on August 31, 2021 at 6:30 p.m. relative to matters involving real estate, personnel and potential litigation.

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

None

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

**Mr. Leidy made a motion, seconded by Ms. Boyd, to approve the minutes of the August 17, 2021, Board of Supervisors Meeting.** The motion passed with Ms. O'Doherty abstaining as she was not present at the August 17, 2021, meeting.

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

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

## GENERAL COMMENTS

Ms. Proctor noted the following:

- Zoning Hearing – September 9 at 7:00 pm – application filed by Cleveland Cliffs Plate LLC for variance and/or such other and further relief to expand existing facilities at 1104 Valley Road to allow a dimensional variance from Section 27-207.8 of the Ordinance to exceed permitted building height of 35 feet to maximum 61 feet for a building addition; a variance from Section 27-705.2.E to allow fill to be placed in an identified floodplain area; relief from the required off-street parking spaces require for an industrial I use in Section 27-312.18; and any other relief deemed necessary by the ZHB
- Conditional Use Hearing – September 20 at 6:00 pm – application filed by Cleveland Cliffs Plate LLC for a 100' x 1,200' addition to an existing building at 1104 Valley Road
- Township Building has reopened to the public. Hours are 8:00 am to 4:00 pm, Monday through Friday (excluding holidays). Masks are asked to be worn.
- Drop off recycling of electronics and television collection has been suspended at the Township Building until our disposal company can begin collecting items and we are re-registered with the DEP. Residents can take one television per vehicle to the Chester County Solid Waste Authority Landfill (Route 322, west of Honey Brook)
- Discount movie ticket sales are available for purchase for \$9.50 each (cash sales only)
- Compost site open September 11 & 25, 2021, 8:00 am to 2:00 pm (2240 Upper Gap Road)
- Yard waste September collection: North side – September 13; South side – September 20
- Mattress collection – September 27 – pre-paid fees apply
- Concert – September 11 at 12:00 noon at Westwood Fire Company
- Fall Bulk Collection dates:

	Fall Bulk
Hayti, Quiet Village, Rainbow, Rock Run, West Lincoln Highway, Airport Road, Oakcrest, Meadowbrook	September 13, 2021
Mineral Springs Road, Hilltop Lane, Country Club Valley, Valley Springs, Beacon Hill, Country Ridge, Valley Farms, Villages at Hillview	September 20, 2021
Westwood area, Charles Street, Madison Street, Gap Road, Valley Crossing, Springbrook Village	September 27, 2021

- Monthly e-Newsletter posted on website – subscribe for Township Alerts and/or Township News & Announcements

## EMERGENCY MANAGEMENT MONTHLY REPORT

Emergency Management Coordinator Joe Sciandra reported on the response to the recent Tropical Storm Ida that had a lot of impact on Valley Township. He noted that assessment of damage within the Township is ongoing with a current estimate of approximately \$70,000. He noted that both FEMA and PEMA will be in Chester County on Wednesday to assess the damage to assist in the determination of the Governor to declare a Disaster which would then allow the Governor to request funding from the President. He thanked all first responders and public works for their assistance.

He further noted that September is *Preparedness Month* which following Tropical Storm Ida would be a benchmark to know if you are prepared for an emergency.

Mr. Sciandra reported that the updated Township Emergency Plan will be submitted to the Deputy Emergency Management Coordinator/Township Manager for review and then to the Board of Supervisors for review.

Ms. Proctor also thanked Mr. Sciandra for his efforts during the recent storm as well as to the first responders to include the Township's public works department and police.

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

Barbara Beckett – Ms. Beckett requested to be on the agenda regarding speeding on Manor Road. It was noted that she was not in attendance.

Craig Lewis, Esquire – on behalf of Valley Square Development Associates LP – Mr. Lewis stated that he was present to provide the Board of Supervisors with an update on the Valley Suburban project. He stated that he believes that the Township Engineer is now satisfied with the cost estimates and anticipates that the formal letter will be forthcoming from Pennoni Associates this week. He also noted that his client is in the process of securing financing and anticipates that this will be finalized to post to the Township within the next six to eight weeks. He requested an additional time extension to December 8, 2021, to submit all outstanding documents and have the final plans signed for recording. Ms. Proctor asked if he believed building permits would be issued in 2022. Mr. Lewis stated that he is hopeful and that his client is preparing to be "shovel ready" to begin when the plans are recorded but noted that, of course, winter weather could be a factor. Ms. Proctor also inquired about financial contribution to the Township that was agreed to years ago. Mr. Lewis confirmed that this condition is noted on the plans and is part of the conditional agreement for plan approval and recording. Ms. O'Doherty mentioned lighting through the proposed development. Ms. Boyd asked Mr. Lewis if he could provide the Township with the timeline that he mentioned in his update in writing to the Board; Mr. Lewis concurred that he would document the timeline and forward to the Township Secretary.

**Ms. O'Doherty made a motion to approve the waiver/modification of Section 304.8 to grant a further extension of time frame to record the plans up to and including December 8, 2021 for the Valley Suburban Plan. The motion was seconded by Mr. Leidy.** The motion passed unanimously.

Greg Vietri, Valley View Business Park Lot 6 – Mr. Vietri noted that his new building at Lot 6 of the Valley View Business Park is 100% complete; however, there remains an outstanding issue with the stormwater basin. He noted that they will need to re-seed with special seeding after the basin dries out. He would not anticipate to see growth until next spring. He noted that there is a contingency amount of approximately \$89,000 as well as a cash escrow of approximately \$46,000 for inspection (professional) fees and requested if the Board would make exception and release the contingency. Mr. Ellis confirmed the issue with the stormwater basin. He noted that the contractor was using a pump to dewater the basin after the storms until recently, in an effort to get water out so grass can grow, so they do not know if the basin will drain on its own within 72 hours. Mr. Ellis noted there is only \$3,000 remaining in financial security for construction which may not be nearly enough to address the issues if the basin continues to not function. The \$89,000 in contingency would provide coverage for costs beyond \$3,000 and to provide motivation for a timely solution before winter. Mr. Ellis further noted that

the Board has been steadfast in their policy the last several years not to release any contingency early. Ms. Proctor noted that she recognizes that Mr. Vietri has a great reputation with the Township and feels he will do everything to comply with the plan requirements; however, she stated that she feels policy needs to be followed consistently and would not want to set a precedent. Ms. O'Doherty stated that she agrees but that she felt that this was a bit of a different situation as the building is 100% complete. She asked if the amount of cash escrow would satisfy both inspections and if the stormwater basin needed to be addressed. It was noted that the Professional Fee Escrow could only be used for reimbursement to the Township for engineering and legal fees associated with the project unless there would be an amendment to the Agreement. After further discussion, **Ms. O'Doherty made a motion to reduce the contingency from the financial security to \$33,000, noting that Pennoni would inspect the underdrain when it is complete. Ms. Yates seconded the motion.** The motion passed with Ms. Proctor voting nay.

### **SOLICITOR'S REPORT**

Discussion/consideration regarding attendance on behalf of Valley Township for the Solicitor to attend/enter an appearance at the Cleveland Cliff's Zoning Hearing on September 9, 2021 – The consensus of the Board was to authorize Ms. Sundquist attend the Cleveland Cliff's zoning hearing on September 9, 2021, on behalf of the Township.

At this time, Ms. Sundquist departed the meeting.

### **ENGINEER'S REPORT**

Discussion/consideration to authorize Escrow Release #9 for Valley View Business Park Lot 9/Little Red Dog (Cigas Machine Shop) in the amount of \$55,113.60 – Based on the Township Engineer's recommendation, **Ms. Yates made a motion, seconded by Mr. Leidy, to authorize Escrow Release #9 for Valley View Business Park Lot 7/Little Red Dog in the amount of \$55,113.60.** The motion passed unanimously.

Discussion/consideration to adopt, by Resolution, the Act 537 Plan prepared by AECOM as required by the PADEP to address the acquisition of Valley Township's sewer facilities by PAWC - Mr. Ellis reviewed that the Act 537 Plan is a requirement of the PaDEP and addresses the acquisition of Valley Township's sewage facilities by Pennsylvania American Water Company (PAWC). He noted that the Plan was prepared by AECOM and that Christopher Rogers from AECOM was online and available to answer any questions. It was noted that there was no public feedback or comment to the Plan when on public inspection. **Mr. Leidy made a motion, seconded by Ms. Boyd, to adopt Resolution 2021-16 – a resolution adopting the Official Sewage Facilities Plan: Acquisition of Valley Township's Sewage Facilities by Pennsylvania American Water Company.** The motion passed unanimously.

Discussion/consideration to approve the Grinder Pump Operation & Maintenance Agreement for Bridgewater RE, LLC for Micronics Manufacturing USA – **Ms. Yates made a motion,**

seconded by Mr. Leidy, to approve the Grinder Pump Station Operation and Maintenance Agreement between Bridgewater RR, LLC and Valley Township for 1204 West Lincoln Highway, Coatesville, PA. The motion passed unanimously.

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

- Oakcrest Phase 1 – Pennoni performed a maintenance bond inspection on August 30 of the dedicated public improvements, and submitted an eMail of the limited observed deficiencies to the Township. Mr. Piersol advised that he wanted to talk with the developer to see they could clear the growth in a Township easement area to enable Pennoni to inspect five manholes.
- Land Development Plans – Mr. Ellis reported that Pennoni continues ongoing reviews for the various land development plan submissions to include Valley View Business Park Lot 8, Chester County GO Carlson Airport stormwater management and grading permit plan application for reconstruction of existing pavement and replacement of existing storm sewers around the existing T-hangers and the preliminary land development plan for the Airport Expansion, Valley Suburban Center, and Micronic Manufacturing LLC.
- 2021 Road Program – Contractor began today; they anticipate two weeks to complete the work. Pennoni also performed a site visit to evaluate the need for additional asphalt curbing with Kris Lenhart. Pennoni recommends an addition 204 LF of curbing be installed. A price estimate will be requested from the contractor; if they use their bid price it would be an additional \$6,100. It was noted that curbing expenses would need to come out of the General Fund.
- Tropical Storm Ida Damage – Pennoni performed observations of damage to the South Mount Airy Road road surface and the southern South Park Avenue Bridge. Pennoni's bridge engineers performed a detailed inspection of the bridge today. **Mr. Leidy made a motion, seconded by Ms. O'Doherty, to authorize up to and not to exceed \$15,000 for paving on South Mount Airy Road that was damaged during Tropical Storm Ida.** The motion passed unanimously. An initial estimate to completely repair the South Park Avenue Bridge is approximately \$40,000 to \$50,000, similar to the work recently done on the Hemlock Avenue Bridge.

At this time, Mr. Ellis departed the meeting.

At this time, Ms. Proctor recognized Chief Eckman and asked him if he had anything for this evening. Chief Eckman noted that he was impressed with the teamwork during Tropical Storm Ida with the emergency responders, emergency management team, police and public works. Chief Eckman stated that he was online to answer any questions regarding the item under *New Business* for consideration of a new police vehicle.

Chief Eckman also advised as a follow up to Ms. Beckett requesting to be on the agenda to discuss concerns of speeding traffic on Manor Road that Sgt. Parker recently spoke to her and planned action to monitor Manor Road.

## NEW BUSINESS

Discussion/consideration regarding purchase of a police car - The Board reviewed Chief Eckman's request to purchase a new vehicle to be utilized as the Chief's administrative vehicle. He reported that New Holland Auto Group had a 2021 Police Ford Explorer, an administration model that is not equipped with all of the heavy-duty equipment, at a CoStars price of \$34,660 which reflects a discount of \$2,300 as it is a 2021 left over. It was noted that the car that was originally assigned to Chief upon his employment as per his Employment Agreement to include a take home vehicle, is a 2016 Ford Explorer outfitted for patrol with prisoner transport partition, an MDC and other equipment that is required for patrol work. This vehicle has over 92,000 miles on it and is getting 10.2 miles per gallon. If an administration vehicle is purchased, this vehicle will go back into the patrol rotation. There was discussion regarding the unbudgeted expense. Ms. Rambo advised that real estate transfer tax income at the end of July was already over budget and that with the August deposit of over \$30,000 and anticipated September deposit of the same amount, with three more months of transfer taxes to include a commercial property, the excess income could be utilized to offset the purchase price without having to finance. Mr. Leidy inquired if any additional quotes had been obtained from other local dealerships, such as Brian Hoskins Ford. Chief Eckman advised that he doubted another local dealership would have a car on property. Mr. Leidy stated that he had a contact there and would be willing to double check to see if we could get a lower price for the same vehicle. **Ms. O'Doherty made a motion, seconded by Ms. Boyd, to authorize the purchase of a 2021 Ford Administration Police Vehicle at a cost of \$34,660.00 from New Holland Auto Group contingent upon if a lower price cannot be obtained for the same specifications within 24 hours.** The motion passed with Mr. Leidy voting nay.

## OLD BUSINESS

Discussion/consideration to adopt a Resolution authorizing Scott Piersol to sign a Video Sharing Agreement between the Commonwealth of Pennsylvania and Valley Township – Mr. Piersol noted that although the Board recently adopted a Resolution ratifying the authorization of former Township Manager Carol Lewis to sign the Video Sharing Agreement that was signed in 2020, the Commonwealth was requesting a new Agreement be signed and Resolution authorizing the signature. **Ms. Boyd made a motion, seconded by Mr. Leidy, to authorize the adoption of Resolution 2021-17, a resolution authorizing Scott T. Piersol, Township Manager, authority to execute the Non-exclusive Video Sharing License Agreement between the Commonwealth of Pennsylvania and Valley Township.** The motion passed unanimously.

Discussion/consideration regarding Code inspections in Hayti/vacant properties – Ms. Proctor noted that as a follow up to Ann Woodward's comments a few meetings ago regarding several vacant properties in the Hayti area, that she had taken photographs of some properties. Mr. Piersol stated that he would ask Mr. Lenhart if he could identify the house number from the pictures provided in order to turn over the information to the Codes Department.

## MANAGER'S REPORT

Mr. Piersol reported on the aftermath of Tropical Storm Ida and options for individuals to report loss. He also noted that out of an abundance of caution due to the recent uptick in COVID10 cases, as well as the Delta and Mu variants, the Township Office is returning to masking of all individuals visiting the Office for routine business. Public meetings will continue to be held in a hybrid meeting format.

Mr. Piersol also reported that he participated in a webinar hosted by the Delaware Valley Regional Planning Commission on September 1 to present Round 3 of their Regional Streetlight Procurement Program. This program provides funding for conversion of existing streetlights to LED lighting, which provide savings in energy consumption and long-term maintenance. The program is a 4-step process, all managed by DVRPC. There is no cost to participate in the first step, which is a feasibility study. Should the Township proceed in further phases, there would be contribution costs. The consensus of the Board was for Mr. Piersol to submit a letter of intent to participate in the Feasibility Phase of this program which is due by September 28.

## NEW BUSINESS CONTINUED

Discussion/consideration to approve the 2022 Minimal Municipal Obligation for Uniform and Non-Uniform Pension Plans – Ms. Rambo reviewed the proposed 2022 MMO for the uniform and non-uniform pension plan in the amount of \$92,042 and \$103,522 respectively. **Mr. Leidy made a motion, seconded by Ms. O'Doherty, to accept the 2022 MMOs for the uniform and non-uniform pension plans as presented.** The motion passed unanimously.

Consideration to support HB 1293 – Mr. Piersol reviewed the proposed HB 1293, an act relating to insurance reimbursements directly to an EMS provider. The consensus of the Board was to support HB1293 and to advise CCATO of the Board of Supervisors' support.

Consideration to hold WCC COG meetings at Valley Township's training room on the 4<sup>th</sup> Wednesday of each month – Ms. O'Doherty requested permission to allow the Western Chester County Council of Governments to hold their monthly meetings in the Township's training room if they need a space to meeting. She noted that recently the meetings were being held at Parkesburg Borough's facility but that some meetings their room has been warm. The consensus of the Board was to permit the COG to utilize Valley' building.

Discussion/consideration regarding bond refinancing of the General Obligation Bonds, Series 2017– The Board was reminded if they are considering to refinance the General Obligation Bonds, Series 2017 debt, that authorization would need to be made to do so. Mr. Barsz' recommendation to the Board was passed on from the Township Secretary that it would be his recommendation to pay off the debt with the asset proceeds to reduce the annual average amount of \$440,000 instead of refinancing at this point. No decision was made by the Board at this time.

Consideration to set 2022 Budget Workshop Meetings – The proposed 2022 Budget Calendar was reviewed. The Board agreed to proceed to hold Budget Meetings on October 14, 21, 28 and November 8 and 10 at 6:00 p.m.

Consideration to set 2021 “Trick or Treat” – Following discussion, the Board tabled any decision until additional information could be obtained of what neighboring Coatesville will be doing.

**CITIZEN COMMENTS**

None

There being no further business to discuss, the meeting was properly adjourned at 11:12 p.m.

Janis A. Rambo  
Township Secretary