

## **MINUTES FOR OCTOBER 19, 2021**

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

The second monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, October 19, 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.

Those participating in the meeting were Supervisors Kathy O'Doherty, Sharon Yates, Casey Leidy, and Patrice Proctor. Supervisor Carmen Boyd was absent. Also participating in the meeting were Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer); and Kris Lenhart, Township Roadmaster, who all participated virtually and Amanda Sundquist, Esquire, of Unruh Turner Burke & Frees (Township Solicitor); Chief Glenn D. Eckman, Chief of Police; Peter Barsz, CPA, Treasurer; and Scott T. Piersol, Township Manager, who were present at the Township Building.

#### **RECESS OF PUBLIC MEETING AND OPENING OF CONDITIONAL USE HEARING**

At this time, the Board reopened the conditional use hearing for the application of Cleveland-Cliffs Plate, LLC for the property located at 1104 Valley Road seeking a conditional use under Sections 27-207.3C and 27-425 of the Valley Township Code of Ordinances to permit a 12,000 square foot addition to an existing building on the property in order to expand the existing heavy industrial use on the property. The hearing was originally opened on September 20 and continued to September 29, 2021. Solicitor Sunquest read a proposed decision as follows:

AND NOW, this 19<sup>th</sup> day of October, 2021, upon consideration of the Application of Cleveland-Cliffs Plate, LLC & ISG Plate, Inc. for a conditional use under Sections 27-207.3.C and 27-425 of the Code to expand an existing heavy industrial use at the property located at 1104 Valley Road, being Tax Parcel No. 38-5-53, in the Industrial Zoning District of the Township, IT IS HEREBY ORDERED that the relief requested shall be GRANTED, subject to the following conditions:

1. The Applicant shall obtain from the Federal Emergency Management Agency a Letter of Map Revision Approval.
2. The Applicant shall comply with all conditions in the Township Zoning Hearing Board's Order of September 9, 2021, as will be confirm in the forthcoming written decision and order.
3. The area between the Sucker Run and the retaining wall shall be vegetated with plantings to the maximum extent practicable as determined by the Township Engineer.
4. There shall be no expansion or addition of impervious surface into the riparian buffer area beyond the extent of now existing impervious surface, and the Applicant shall provide plans to the Township Engineer to clearly document the location of the existing impervious coverage, the location of proposed impervious coverage, and the existing location of the riparian buffer.
5. Stormwater management in compliance with the Code requirements shall be provided to the satisfaction of the Township Engineer.

6. The proposed addition shall be in substantial conformity with the evidence and testimony presented to the Board.
7. The Applicants shall obtain all necessary permits and approvals from the federal, state, county and Township governments and agencies.
8. The Applicants shall comply with all applicable federal, state, county and Township statutes, laws, regulations, and ordinances.

**Ms. O'Doherty made a motion, seconded by Ms. Yates, to approve the Order as read by the Township Solicitor with regards to the Cleveland-Cliffs Plate, LLC and ISG Plate, Inc.'s conditional use.** The motion passed with Supervisors Proctor, O'Doherty and Yates voting aye; Supervisor Leidy did not vote as he did not participate in the testimony at the September 29 hearing.

The hearing was closed at 7:41 p.m. and the Board of Supervisors meeting was reopened.

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

Ms. Proctor noted that the Board of Supervisors met in Executive Session prior to the meeting to discuss personnel issues. She also noted that the Board was in Executive Session on October 6, 2021 to discuss personnel at 6:30 p.m. and October 7, 2021 at 11:00 a.m. to discuss personnel.

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

None

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

**Mr. Leidy made a motion, seconded by Ms. Yates, to approve the minutes of the October 5, 2021, Board of Supervisors meeting.** The motion passed unanimously.

#### **TREASURER'S REPORT**

Mr. Barsz reported on the Township's reconciled fund balances as of September 30, 2021:

General Fund	\$2,476,302.25
Payroll Fund	\$114,928.97
Sewer Fund	\$127,993.93
Water Fund	\$414,788.68
Fire Tax Fund	\$185,521.73
Ambulance/EMS Tax Fund	\$188,943.05
State Fund (Liquid Fuels)	\$248,126.04
Oakcrest Maintenance Escrow	\$299,083.70
Escrow Accounts	\$131,651.90
<b>Total Balance</b>	<b>\$4,187,340.65</b>

Discussion/consideration to designate PLIGIT as depository for asset sale proceeds – Mr. Barsz reported that meetings were held, along with Township staff and Ms. Proctor, with PSDLAF and PLIGIT regarding investment options of the asset sale proceeds. Upon the recommendation of the Township Treasurer, **Ms. Leidy made a motion, seconded by Ms. Yates, to designate the Township’s PRIME account with PLIGIT as the initial depository for the asset sale proceeds.** The motion passed unanimously.

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

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

At this time, Mr. Barsz departed the meeting.

#### **BOARD GENERAL COMMENTS**

Ms. Proctor noted that *Trick or Treat* will be held in Valley Township on October 31, 2021, between 6:00 p.m. and 8:00 p.m. Ms. Proctor also noted that the Valley Township Police Department would be participating in the Faith N Blue *Trunk or Treat* program at the Greater Deliverance Church at 800 South First Avenue, along with South Coatesville Borough and other police departments, on October 30, 2021, from 3:00 p.m. to 5:00 p.m.

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

Teresa Graham, 701 West Lancaster Avenue, Downingtown – Ms. Graham discussed her research regarding of “ownership” of the Evergreen Colored Cemetery at 203 Cemetery Lane. She stated that her interest began in September of 2020 when researching family members. She stated that she has reached out to the County, St. Paul Church, and the Chester County Historical Society. She noted that she has been identifying headstones. She stated that she would like to find the owner of the cemetery and if there is none on record, what would be her next step if she would like to pursue ownership. Ms. Sundquist advised that prior to the meeting, she had pulled the County tax records and there were no records. From an aerial view, it looks like there is “cemetery” property on surrounding properties and stated that perhaps at one time, all the current properties may have had the same owner. Ms. Sundquist suggested that perhaps a title search may help track back who the owners were. Ms. Yates noted that the Record of Deeds office had been looking into the property earlier in the year. Ms. Sundquist stated to proceed with ownership, there would need to be quiet title action but a full title search would be required. Ms. Sundquist also advised that the Second-Class Township Code does not permit a township to take ownership of a cemetery.

Toni Morton, 924 West Lincoln Highway – Ms. Morton thanked the Board of Supervisors for listening to the Hayti Historical Society’s presentation at their last meeting. She stated that the Passtown School will be celebrating their centennial in 2023 and that the HHS will be planning centennial events starting in 2022 leading up to the Centennial including requests to hold some activities in the park. Ms. O’Doherty noted that there is a process for requesting use of the park and advised that the Township Secretary could help with those requirements.

Barbara Beckett, 1062 Manor Road – Ms. Beckett advised since the road work on Manor Road, which is much appreciated, has now increased amount of speeding traffic. She asked for additional police presence. She stated that it appears that there is more speeding traffic in the morning and between 2:30 pm to 6:00 p.m. and on the weekends. Chief Eckman stated that he recently met with Ms. Beckett who has given permission for the Police Department to sit on her property. Chief Eckman stated that speed lines need to be repainted in that area and unfortunately the line painting machine needs some repairs. Chief Eckman also noted that there is line of site distance requirements that need to be met.

Chief Eckman also stated that the Department will participate in the “*Operation Safe Stop*” program. Ms. Yates also inquired if additional “*School Bus Stop Ahead*” signage is needed in certain locations throughout the township.

Valley Square Development Corporation – Paul Lepard of Nave Newall spoke on behalf of his client, Valley Square Development noting that financing for construction and professional fee escrow is being finalized. He reviewed that Phase I includes is for what they are referring as “Lot 1” for 98 townhouses and “Lot 2” has for 192 apartments or 98 townhouses. “Lot 3” is a 10-acre commercial lot for a total of 54,000 square feet of retail space. He noted that there is interest from a national convenience retailer with gas for the western half of the commercial lot. He stated that the use is permitted and they may or may not need a conditional use hearing. Mr. Lepard stated that they would require zoning relief for a landscape buffer and building setback for canopy. Mr. Lepard noted that this is very preliminary but wanted to see the Board’s interest. Ms. O’Doherty inquired if the building size could change; Mr. Lepard stated that was doubtful as there is a building model that is used by the commercial entity. The tenant/ownership status is unknown at this time. Ms. O’Doherty, Mr. Leidy, and Ms. Yates all advised that the concept is welcoming.

Denny Bement, Chair of the Valley Township Planning Commission, voiced some concerns regarding setbacks and landscaping that would be contradictory to the Township’s Comp Plan.

## **DEPARTMENT REPORTS**

Police Report – Chief Eckman reported on the Department’s activity for September. Total calls were 1,201; year to date is 9,131. Chief also noted that Officer Pomroy completed *Advanced Roadside Impaired Driving Enforcement* certification on September 16 and 17. Officer Duca completed *Field Training Officer* training on October 4 – 6. Chief also noted that he attended a school safety task force meeting at the Coatesville Area High School on October 8. He also included in his report the mileage of each vehicle. As mentioned earlier in the meeting, Chief provided more information on *Operation Safe Stop*, which is a PennDOT initiative that pairs with the School District’s bus pick ups and bus stops. He also noted that Valley Police Department will be participating in a *Faith in Blue* event sponsoring a “Trunk or Treat” on Saturday, October 30 at the Greater Deliverance Church along with South Coatesville Police Department.

Consideration to post/advertise for a full-time police officer – **Mr. Leidy made a motion, seconded by Ms. O’Doherty, to authorize the posting/advertising for a full-time police officer.** The motion passed unanimously.

Consideration to purchase a patrol vehicle(s) – After discussion regarding the mileage and condition of some of the vehicles in the fleet, **Ms. O'Doherty made a motion, seconded by Mr. Leidy, to purchase a 2021 Ford Explorer Interceptor Utility/Patrol Version vehicle from New Holland Auto Group in the amount of \$34,675.00 under CoStars pricing and includes a vehicle trade-in.** The motion passed unanimously. Ms. Yates noted that she does see the vehicles at the local repair shop frequently. Chief discussed the need for a fleet replacement program.

Fire/EMS – Chief McWilliams noted that the Fire Chief's Report that had been forwarded to the Township was incorrect; a corrected copy would be forwarded to the Township Secretary by the end of the week. Chief McWilliams reported that the Westwood Ambulance/EMS division responded to a total of 126 total calls of which 60 responses were in Valley Township. He noted that the Wagontown Division responded to 203 calls, of which 12 were in Valley Township. Ms. Proctor requested if future reports could include which hospitals the transfers were taken to.

## **PLANNING COMMISSION REPORT**

Denny Bement was present to report on the Planning Commission's meeting of October 12. He noted that Jim Druecker was named Vice Chair at the meeting, replacing Bruce Manning who had recently resigned. He noted that the Commission reviewed the Valley View Business Park Lot 8 resubmission. He noted that they are pursuing a stormwater easement from the Bone property and that without the easement they will need to revisit their design. The applicants are also proposing a fee-in-lieu similar what was done with Lot 6 and they are proposing the same density of approximately 340 trees equivalent to about \$19,000 based on an arbitrary standard. Our fee-in-lieu would be the actual cost per tree which would amount to \$126,000. They are revisiting their proposal.

The Commission reviewed a proposed ordinance amending Section 27-108 to amend the zoning map. The proposal is to rezone Lot 8C and three residential parcels along Hoffman Avenue. It has been zoned industrial for over 30 years. The proposal is to rezone Lot 8 to residential R1 in order to build one single family home on the lot, R1 to be consistent with the actual use. The other property owners would prefer to be zoned residential. The Planning Commission recommends to amend as proposed.

## **SOLICITOR'S REPORT**

Consideration to proceed with a proposed ordinance amendment for §27-108 to amend the Zoning Map to submit to the Chester County Planning Commission for Act 247 Review. – Ms. Sundquist followed up on the Planning Commission's report regarding the amendment to the Zoning Map for portions of Valley Township situate along Hoffman Avenue. The consensus of the Board was to move forward and refer the proposed zoning amendment to the Chester County Planning Commission for review.

Consideration to adopt a Resolution accepting offers of dedication related to water and sewer facilities and easements – Ms. Sundquist advised that the resolution is not ready for adoption at this evening's meeting and the item was tabled.

At this time, Ms. Sundquist departed the meeting.

## **ENGINEER'S REPORT**

Consideration to accept the extension for review for Chester County G.O. Carlson Airport Expansion Land Development Plan review to January 31, 2022 – **Ms. Yates made a motion, seconded by Mr. Leidy, to accept the extension for review for the Chester County G.O. Carlson Airport Expansion Land Development Plan review to January 31, 2022.** The motion passed unanimously.

Consideration to accept extension for review for Valley View Business Park Lot 8 to January 20, 2022 – **Ms. O'Doherty made a motion, seconded by Ms. Yates, to accept the extension for review for the Valley View Business Park land development plan to January 20, 2022.** The motion passed unanimously.

The Engineer's Report was distributed and is on file at the Township Office.

Mr. Ellis reviewed the following items from the written report:

- Oakcrest Phase 2 – Mr. Ellis reported that Pennoni performed construction observations of continued restoration work in Basin #2, outfall reconstruction for Basin #1, an underdrain pipe in the tot lot, and concrete sidewalk replacements. They also responded to questions from the developer on initiating the dedication process and determined the amount of financial security for the 18-month maintenance guaranty. He also mentioned that the looked into a stormwater issue at 229 Dague Farm Drive which was determined to not be a Township issue but rather an HOA/developer issue.
- Micronics – Mr. Ellis noted that there has been no activity since the last report. However, Pennoni performed construction observation of E&S controls, wetland delineation and buffer area mark out and importing and stockpiling of soil for use as future fill.
- Cleveland-Cliffs Plate Building Expansion – Pennoni reviewed several iterations of the Hydrology & Hydraulics Report for floodplain impacts and coordinated revisions with the design consultant. The result was subsequently found acceptable and a recommendation letter was submitted to the Township to sign the FEMA consistency letter so that the applicant can submit the Letter of Map Revision to FEMA.
- 2021 Road Program – Contractor plans to return the week of October 25 to perform the curbing and paving on South Mount Airy Road.
- West Lincoln Highway Corridor Master Plan – Kick off meeting is scheduled for October 26 at 6:00 p.m.
- Manor Road Speeding – Mr. Ellis noted that in response to the earlier discussion regarding speeding on Manor Road, the Township may want to consider a *Stop* sign study at Valley Station Road and Manor Road with regards to site distance. He estimated approximately \$2,000 for the study.

At this time, Mr. Ellis departed the meeting.

## **DEPARTMENT REPORTS**

Public Works – The written monthly report was provided to the Board of Supervisors. Mr. Lenhart reviewed the report noting that flashing lights had been added to the signage for the South Park Avenue weight reduction. He noted that the Department installed additional signage at the Township Building to try and prevent the general public from accessing the office/police parking lot. Department is concluding road repairs on Cynthia Road, Mineral Springs Road, Mt. Carmel Road and repairs in Country Club Valley. Recycle material removal continues from the former Township Building and hydrant flushing was completed in September. Mr. Lenhart noted that he has been attending meetings at the pump stations with PAWC personnel to review operations for the upcoming transition.

At this time, Mr. Lenhart departed the meeting.

Administration – Monthly report was distributed. It was noted that the first meeting regarding the non-uniform contract renewal is scheduled for this Friday.

Codes – Ms. Yates reviewed the monthly report. There was a discussion regarding the Vacant Property ordinance that was adopted at the end of last year and implementation. It was noted a quote was obtained to mow 902 Charles Street in the amount of \$350.00.

Workplace Safety Committee – Ms. O'Doherty reported that Committee met last week. No new injury claims were reported.

Parks & Recreation – Ms. Proctor reported that the Authority has made the recommendation to not host the annual Holiday Party for the children as that age group would probably not be vaccinated.

Historic Committee – No report.

EAC – Ms. Yates stated that the EAC did not have a quorum for their last meeting. She reviewed information on the *One Million Trees* event on tree revitalization to help plant trees in the riparian barriers.

## **MANAGER'S REPORT**

Mr. Piersol provided an update regarding the feasibility study for the possible conversion to LED fixtures. He met with Michael Fuller from Keystone Lighting Services who have begun gather data needed for the feasibility study. KLS will attend a future meeting of the Board of Supervisors, possibly on December 9.

Mr. Piersol reported that he met with Crosby Wood from New Heritage Properties and Sonia Huntzinger from Second Century Alliance regarding New Heritage Properties interest in the development of the Flat's property. The plans for his site include an indoor recreation facility to include a velodrome, basketball and volleyball facilities, other recreational activities, a movie theatre, a hotel and other amenities. Mr. Wood indicated his willingness to meet with the Board and Planning Commission to present these plans.

PEMA announced on October 15 that the federal government has approved Chester County's request for the disaster declaration from what is now being called Tropical Depression Ida to now include public infrastructure. Valley Township received damage of severe streambank erosion and partial collapse of the support abutment wall of the South Park Avenue Bridge near the municipal boundary with East Fallowfield Township and road surface damage to South Mount Airy Road.

Mr. Piersol reported that he attended the PSATS' Business Meeting on October 15 as a member of the PSATS Resolution Committee. The Southeast Regional Forum will be held in Lionville on October 27 and he plans to attend. Ms. Yates requested registration.

#### **OLD BUSINESS**

None

#### **NEW BUSINESS**

Discussion/consideration to renew generator PM Agreement with Modern Group in the amount of \$1,700 – **Ms. Yates made a motion, seconded by Mr. Leidy, to approve the renewal of the generator PM Agreement with Modern Group in the amount of \$1,700.00.** The motion passed unanimously.

#### **CITIZEN COMMENTS**

None

There being no further business to discuss, the meeting was properly adjourned at 10:25 p.m.

Janis A. Rambo  
Township Secretary