

MINUTES FOR NOVEMBER 4, 2021

VALLEY TOWNSHIP BOARD OF SUPERVISORS

The first monthly meeting of the Valley Township Board of Supervisors was held on Thursday, November 4, 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 7:40 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. Also in attendance were Amanda Sundquist, Esquire, of Unruh, Turner, Burke & Frees (Township Solicitor); Kris Lenhart, Roadmaster; and Scott T. Piersol, Township Manager. Participating virtually was Michael J. Ellis, P.E., of Pennoni Associates, Inc. (Township Engineer).

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 6:30 p.m. to review personnel issues. Ms. Proctor also noted that the Board of Supervisors met in Executive Session on October 21, 2021, following the Budget Meeting, to discuss personnel issues.

AGENDA ITEM ADDITION

Ms. O'Doherty made a motion to add to the agenda under "Motion to Pay Bills" to approve payment on the balance owed on the Pennsylvania American Water Company wastewater treatment invoice, dated October 13, 2021, in the amount of \$417,331.75 and to authorize the transfer of \$420,000.00 from the PLIGIT Prime Account to the Presence Bank Sewer Fund noting that this amount due to PAWC is not included on the bills list as it requires a fund transfer in order to have the balance paid prior to the anticipated asset settlement date of November 9, 2021. Mr. Leidy second the motion. Ms. Proctor asked if there was any public comment to add this item to the agenda under Payment of Bills. There were no comments from the public or questions from the Board. The motion passed unanimously.

CITIZEN COMMENTS ON AGENDA ITEMS

None

APPROVE MINUTES AS WRITTEN

Ms. Yates made a motion, seconded by Ms. Boyd, to approve the minutes of the October 19 2021, Board of Supervisors Meeting. The motion passed unanimously.

APPROVE PAYMENT OF BILLS

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

Ms. O'Doherty made a motion, seconded by Mr. Leidy, to approve payment on the balance owed on the Pennsylvania American Water Company wastewater treatment invoice, dated October 13, 2021, in the amount of \$417,331.75 and to authorize the transfer of \$420,000.00 from the PLIGIT Prime Account to the Presence Bank Sewer Fund. The motion passed unanimously.

GENERAL COMMENTS

Ms. Proctor noted that Ms. Boyd, Mr. Leidy, and herself were re-elected as Supervisor during Tuesday's general election.

Ms. Proctor noted the following:

- Township Building has reopened to the public. Hours are 8:00 am to 4:00 pm, Monday through Friday (excluding holidays). MASKS ARE REQUIRED 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 November 13, 2021, 8:00 am to 2:00 pm (2240 Upper Gap Road)
- Leaf collection – November 8, 15, 22 & 29
- Mattress collection – November 29 – pre-paid fees apply
- Administration office and public works are closed on November 11; trash and recycling will be collected on November 12
- Administration office will be closed on November 25 and 26; there will be no trash or recycle collection on November 25. Trash and recycling collection of November 25 will be collected on Friday, November 26. Friday's recycle collection will be collected on Monday, November 29.

Mr. Leidy noted that next Thursday will be Veteran's Day and thanked those who have served our country.

EMERGENCY MANAGEMENT MONTHLY REPORT

Emergency Management Coordinator Joe Sciandra reported that he continues to evaluate the impact of Ida and is staying on top of the requirements for reimbursement under the Robert T. Stafford Disaster Relief and Emergency Assistance Act. He noted that 75% of eligible costs could be reimbursed by FEMA with the remaining 25% being reimbursed through PEMA.

Ms. Leidy made a motion, seconded by Ms. Yates, to adopt Resolution 2021-19, a resolution designating Scott T. Piersol and Joe Sciandra as the Township's agent and alternate

authorized to execute paperwork for Tropical Depression Ida through the Pennsylvania Emergency Management Agency Public Assistance Grant Program Agreement. The motion passed unanimously.

Mr. Leidy made a motion, seconded by Ms. Boyd, authorizing the Board Chairwoman to sign the PEMA Bank Account Verification Form (DGM-04) noting the bank information and Scott T. Piersol as the entity point of contact. The motion passed unanimously.

Mr. Leidy made a motion, seconded by Ms. Yates, to authorize Scott T. Piersol to submit and sign the Public Assistance Grant Program Agreement between Valley Township and PEMA. The motion passed unanimously.

CITIZENS REQUEST TO BE ON THE AGENDA

Frank & Patricia Teel, 977 Main Street – Mr. Teel stated that as a life-long resident of Valley Township he wished to express his concern with an issue with junk near his home. Outside of his home on Main Street in Hayti, there is junk and debris that he has to look at everyday when he leaves his house. While a tax paying resident and homeowner, he would greatly appreciate if he could walk out of his home without the sight of what looks like an unsolicited junk yard. Additionally, he noted that the abandoned house to next to him has been unkept for years and is a central area for trash, wild animals and abandoned vehicles. Ms. Proctor stated that the Vacant Property Ordinance needs to be enforced. Mrs. Teel stated that she had talked with the Codes Secretary in May or June to have the property looked at. John Woodward, 189 Rainbow Road, confirmed the condition of the property at 975 West Main Street. He noted that signs have been posted on the property for about two months. There was mention in addition to the trash and overgrown vegetation, the front door of the house is open and animals are seen going in and out. Solicitor Sundquist stated that she would check to see if an estate has been open. Mrs. Teel also noted that there is a car that has been on the street for a while. She stated that a police officer had stopped and checked the car out but stated that he did not have a sticker with him to put on the car that if not moved, it would be towed, but that he would come back and ticket the car which has not done. The Board stated that they would look into the matter. Solicitor Sundquist also suggested that the Chester County Health Department be contacted regarding the animals noted on the property as that would be under their jurisdiction.

John Woodward, 189 Rainbow Road – Mr. Woodward stated that he was back to follow up from his attendance several weeks ago about the cars in the cul-de-sac as there are still 2-3 cars there. He stated that there are no “No Parking” signs, but no action has taken place regarding the cars or the property complaint filed. Mr. Piersol noted that relative the property complaints, Notices of Violations were issued followed by citations and a hearing was scheduled before Judge Gill. Unfortunately, due to some miscommunication, the Code Officer did not appear at the hearing and the case was dismissed. New citations were issued. Mr. Woodward stated that a new hearing date has been scheduled for November 10. Mr. Woodward asked to confirm that any issues on the street are a police function. Mr. Piersol noted that is not correct that there are sections of the Township Code about creating a traffic hazard. Solicitor Sundquist noted that

junk and vehicles technically on private property would be handled as a codes and nuisance issue. It was also noted the condition of 902 George Street. Mr. Woodward noted that the couple who owned the home both recently passed away. Ms. Proctor stated that she took pictures of that property and several others in that neighborhood before she departed for vacation in August and forwarded them to the Codes Department. She stated that she would follow up again and resend the pictures to Codes. Mr. Leidy inquired about what can the police enforce. Mr. Piersol noted that some issues would require signage and an ordinance being adopted. Mr. Woodward also questioned the abandoned car that Mr. and Mrs. Teel spoke about. He asked if it should matter that the officer who came out, who was identified as Officer Canale, after running who the car was registered to, knew who the owner of the car was as it came back as a former Township employee's son's car. The Board advised that they would check into the matter.

SOLICITOR'S REPORT

Ms. Sundquist presented the following for the Board's consideration:

- Approval of dedication resolution for water and sewer dedication offers – **Mr. Leidy made a motion, seconded by Ms. Yates, to adopt Resolution 2021-20, a resolution accepting water and sewer system dedications.** The motion passed unanimously.
- Approval of Valley View Business Park assignment of pump station easement agreement – **Mr. Leidy made a motion, seconded by Ms. Yates, to approve the Valley View Business Park assignment of pump station easement agreement.** The motion passed unanimously.
- Approval of Valley View Business Park deed of easement agreement – **Mr. Leidy made a motion, seconded by Ms. Yates, to approve the Valley View Business Park deed of easement agreement.** The motion passed unanimously.

Ms. Sundquist departed the meeting at this time.

ENGINEER'S REPORT

Discussion/consideration approve Financial Security Release #10 for Valley View Business Park Lot 8 (Little Red Dog/Cigas) – Based on the Township Engineer's recommendation, **Ms. O'Doherty made a motion, seconded by Mr. Leidy, to authorize the Financial Security Release #10 for Valley View Business Park Lot 8 in the amount of \$34,780.00.** 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:

- Land Development Plan Submissions – Mr. Ellis noted that revised submissions had been received for Valley View Business Park Lot 8 and the Chester County G.O. Carlson Airport. Review letters will be issued and both applicants will be present at next Tuesday's Planning Commission meeting. He also noted that the land development plan for Cleveland Cliffs Plate was received and that the applicant has requested to be on the

Planning Commission agenda for an initial review. Ms. Proctor inquired when the Cleveland Cliffs' plan was received and that it was already on the Planning Commission agenda. The Township Secretary noted that plans were delivered on Friday, October 29, 2021 and the application/waiver fees and professional review escrow fees were received on Monday, November 1. Mr. Ellis confirmed that they will only be doing an initial presentation to the Planning Commission but that a formal review letter will not be issued by that date.

- Valley Suburban Center – Mr. Ellis reported that an onsite pre-construction meeting with the development team, Township team, and the Chester County Conservation District is scheduled for November 10. The developer is finalizing the financial security and final plans for signature and recording.
- 2021 Road Program – The contractor-initiated work on South Mount Airy Road on November 2 and work is ongoing. It is anticipated that work should take approximately one week. All other Road Program work is complete.
- West Lincoln Highway Corridor Master Plan – The Task Force kick-off meeting was held in person at the Township Building on October 26. The next meeting is scheduled for December 28.

At this time, Mr. Ellis departed the meeting.

OLD BUSINESS

Consideration regarding Equipment Use Cooperation Agreement between East Fallowfield Township and Valley Township for leaf vacuum – **Mr. Leidy made a motion to table any action due to revisions needed for the Agreement. Ms. Boyd seconded the motion.** The motion passed unanimously.,

NEW BUSINESS

Discussion/consideration regarding promotion of Elizabeth Corle to Equipment Operator effective November 8, 2021 – **Ms. O'Doherty made a motion, seconded by Ms. Yates, to promote Elizabeth Corle to Equipment Operator effective November 8, 2021.** The motion passed unanimously. The Board congratulated Ms. Corle on this well-deserved promotion.

Consideration to remove Officers Lennard Smith and Anthony Faraca from probationary status effective November 4, 2021 – Chief Eckman had provided the Board with written recommendation to remove both officers from probationary status. **Mr. Leidy made a motion, seconded by Ms. Yates, to remove Officers Lennard Smith and Anthony Faraca from probationary status effective November 4, 2021.** The motion passed unanimously.

Discussion/consideration to regarding purchase of a 2022 Ford F-550 XL 4x4 DRW– The Board reviewed specifications for a 2022 Ford F-550 XL 4x4 DRW that would be available for delivery in late December/early January. The total cost for the truck is \$102,000.00 through PA CoStars Contract #25-021 through Stephenson Equipment Inc. The truck would replace the Dodge Ram 550. After discussion, **Ms. O'Doherty made a motion, seconded by Mr. Leidy, to purchase a**

2022 Ford F550 XL 4x4 DRW under CoStars Contract #25-021 through Stephenson Equipment Inc. at a cost of \$102,000.00. The motion passed unanimously.

Consideration to purchase a backhoe/loader – Proposals were reviewed for a replacement backhoe/loader. Mr. Lenhart reviewed the three proposals presented:

- Caterpillar Model 420XEIT Backhoe Loader (2021) which included a 5-year extended warranty – Foley Caterpillar
- Case 580 – Eagle Power and Equipment Corp
- JCB 3CX Super EQ #11212 - Stephenson Equipment Inc.

Each proposal was under CoStars pricing. Proposals were reviewed and it was noted that both Eagle Power and Stephenson Equipment were including a trade of \$20,000/\$21,000 for the Township's current JCB backhoe/loader. Mr. Lenhart noted that he was waiting for Foley to provide a trade in price for the Township's JCB backhoe/loader.

After additional review of the proposals, **Mr. Leidy made a motion, seconded by Ms. Yates, to authorize the purchase of the Caterpillar Model 420XEIT Backhoe Loader from Foley Caterpillar at a price of \$143,000.00, under the CoStars State Contract, contingent upon a minimal trade-in of the Township's current backhoe/loader of \$20,000.00.** The motion passed unanimously.

Discussion/consideration regarding purchase of plow and spreader for the F150 pick-up truck – A proposal was submitted for a plow and spreader for the 2008 Ford F150 pick up truck now being utilized by the Public Works Department. The quote from E.M. Kutz for the plow was \$6,042.00; the rubber timbren suspension enhancement blocks to assist carrying the weight of the plow and spreader was \$705.00, and the spreader quote was \$7,855.00. Mr. Lenhart said that if the truck was equipped with this equipment that it would be utilized in smaller alleys and possibly the Township properties. There was discussion of installing this equipment on an F150 gas truck that was over 13 years old. The consensus of the Board was to not purchase the equipment.

MANAGER'S REPORT

Mr. Piersol reviewed his written report distributed to the Board to include an update on the sale of the water and sewer assets; update of his meeting with Michael Fuller from Keystone Lighting to review the Feasibility Study; and a review of the FEMA public assistance grant program and an update of the SBA Business Recovery Center that opened at CCEDC's headquarters at 737 Constitution Drive in Exton.

CITIZEN COMMENTS

Casey Leidy – Mr. Leidy noted that he was made aware of a bus stop at Buckthorn that is pitch dark when children are waiting for the bus at 6:30 a.m. Question was asked if there was a pole nearby. Mr. Leidy stated that he would provide the pole number and Mr. Piersol stated that he would check to see if a light could be installed on that pole.

There being no further business to discuss, the meeting was properly adjourned at 9:50 p.m.

Janis A. Rambo
Township Secretary