

## **MINUTES OF DECEMBER 20, 2016**

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, December 20, 2016, at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order at 7:40 p.m. by Vice Chairman Arlin Yoder. Those in attendance were supervisors Kathy O'Doherty, Arlin Yoder, and Joe Sciandra. Supervisors Christopher Lehenky and Patrice Proctor were absent. Also in attendance were Ed Rasiul of Pennoni Associates (engineer) and Alan Jarvis (solicitor).

An executive session was held at 6:30 p.m. prior to the meeting to discuss personnel issues and items on the agenda.

### **CITIZEN'S COMMENTS ON THE AGENDA:**

None

**Mr. Sciandra made a motion to take the agenda out of order. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

### **BOARD GENERAL COMMENTS:**

Mr. Yoder noted that Christmas Tree Collection will be on January 9, 23, and 30, 2017; the annual Organization Meeting will be held on January 3, 2017 at 7:00 p.m.; the next mattress and television collection is on December 28, 2016; and discount movie tickets are available for sale during normal Township business hours.

### **DEPARTMENT REPORTS:**

#### **FIRE/EMS:**

Chief Sly reported that Westwood Fire Company responded to 33 calls during the month of November of which 17 were in Valley Township. The Ambulance responded to 99 calls of which 65 were in Valley Township. He noted that the Wagontown Division responded to 98 calls.

Chief Sly announced that the ambulance fund drive will be going out in the next several weeks.

Chief Sly thanked Supervisor Yoder for his service as a supervisor and for his support to Westwood over the years.

#### **EMERGENCY MANAGEMENT:**

Mr. Sciandra noted that icing conditions and bad weather can hit at any time. He stated that he would appreciate cooperation from the residents to work with the road department and police. He asked residents to think ahead about parking and ask "could a plow truck get through?". He also asked residents to sign up for notifications through "readychesco.org".

#### **POLICE:**

Report for November was submitted by Officer Canale and reviewed by Ms. O'Doherty.

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### **PLANNING COMMISSION REPORT:**

Jonathan Egger reported on the December Planning Commission meeting held on December 13. He noted that the Planning Commission reviewed the Lambert Spawn reverse subdivision plan. Their plans are to use the land for additional storage.

The Board of Supervisors advised that they would like the Planning Commission to move forward with the new Valley Township Municipal Building land development plan review at their next meeting. Copies of the land development plan will be obtained and distributed as soon as received.

### **OLD BUSINESS:**

Discussion/consideration to approve Development Agreement, Financial Security Agreement, and Professional Fees Agreement between Carriage PA Holdings and Valley Township (James Terry Funeral Home) – Upon confirmation by Solicitor Jarvis that he has reviewed the Agreements and everything is in order, **Ms. O’Doherty made a motion to approve the Development Agreement, Financial Security Agreement, and the Professional Fees Agreement between Carriage PA Holdings and Valley Township. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to approve the Final Land Development Plan for James Terry Funeral Home – Mr. Rasiul reported that the remaining outstanding item, the PennDOT Highway Occupancy Permit, was approved this afternoon. He stated that all documents are ready for the Board of Supervisor’s approval. **Mr. Sciandra made a motion to approve the final land development plan for James Terry Funeral Home. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration regarding Marsha London’s gate request for Cemetery Road – Mr. Sciandra advised that the Board of Supervisors received a copy of her zoning permit application. Upon review, Mr. Sciandra advised that there is an issue with putting a gate across a public right of way and asked if she had considered putting the gate at the cemetery entrance. Ms. London said a chain rope is planned at the cemetery. Mr. Sciandra stated that efforts and funds could be channeled towards a gate at the cemetery. He further stated that the burning is a policing matter. Mr. Sciandra reviewed challenges if she went to the zoning hearing board to prove a hardship to try and install the gate. Ms. London also confirmed that she also owned the property where a chain would go off of Barber Avenue. Mr. Sciandra advised if allowed at all it would have to be at the end of the road. Mr. Sciandra made suggestions to Ms. London and advised it would be good to get police involved. Mr. Sciandra stated that the Township needs to research where she can place her chain before she does so.

Discussion/consideration for a building permit reimbursement in the amount of \$109 for 219 Church Street - Mr. Sciandra reviewed the permit history on the property. He stated that the Township’s current code inspector said to close-in the garage doors would not require a permit today. **Mr. Sciandra made a motion to refund \$109 to Thomas Lambert for the building permit issued to 219 Church Street. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

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#### **NEW BUSINESS:**

Discussion/consideration regarding electricity supply – John Hashem, an electrical broker for Tobelmann Energy Brokers, Inc. reviewed up-to-date quotes from the top three electric suppliers. **Mr. Sciandra made a motion to award the electricity provider to WGL Energy Services for 36 months at a price of \$0.05495 per kWh for an estimated annual savings of \$7,223. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes. **Mr. Sciandra made a motion to authorize Vice Chairman Arlin Yoder to execute the contract on behalf of Valley Township. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Mr. Yoder announced at this time that he would be resigning as supervisors as of the end of the year. He introduced his fiancé, Lisette, and advised that they will be combining households with him relocating to Uwchlan Township. He gave thanks to his fellow Supervisors, Township staff and the volunteers.

#### **OLD BUSINESS CONTINUED:**

Discussion/consideration to extend offer of employment to two part-time police officer candidates – **Mr. Sciandra made a motion to extend an offer of employment to two part-time police officer candidates at a starting rate of \$17.39 per hour and upon successful completion of their six-month probationary period, the rate would increase to \$17.89 and to \$18.39 after one year. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to transfer remaining Water Funds and Sewer Funds at BB&T to Coatesville Savings Bank and to close the BB&T Water and Sewer accounts – **Mr. Sciandra made a motion to transfer the remaining funds in the BB&T Water and Sewer Funds to Coatesville Savings Bank and to close the BB&T accounts. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

#### **NEW BUSINESS CONTINUED:**

Discussion/consideration to authorize Payment #3 to Out of Site Infrastructure Inc. for Main Street Culvert Project in the amount of \$34,421.81 – Mr. Rasiul reviewed the project status. **Based on the engineer’s recommendation, Ms. O’Doherty made a motion to authorize payment #3 in the amount of \$34,421.81 to Out of Site Infrastructure Inc. for work related to the Main Street Culvert Project. Mr. Sciandra seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to issue Change Order #1 for the Main Street Culvert Project relative to paving – Mr. Rasiul reviewed the project time line. He stated that the project was to have been completed by the end of the week. Delays with the precaster and the culvert fabrication pushed the schedule behind. The paving base course has been put in, but the final wearing course cannot be done at this time due to temperatures. Mr. Rasiul advised that the Board could consider an option to exclude the contractor being responsible for the final wearing course and to include the paving as part of the 2017 Road Program. However, if there were issues later, the question of the contractor’s warranty could be an issue. **Mr. Sciandra made a motion to extend the contract**

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**to April 30, 2017 to accommodate the final wearing course being applied. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration regarding donation to Westwood Fire Company – Secretary/Treasurer reviewed the donation expenditures versus budget for 2016 to Westwood Fire Company. She noted that due to lower fuel prices and not providing fuel for Ambulance 44-1 versus previous years, the actual donation expenditure for 2016 is \$112,653.52 versus a budget of \$132,000. **Mr. Sciandra made a motion to approve an additional donation to the fire company in the amount of \$19,300. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes. Chief Sly thanked the Board of Supervisors and stated that he believed East Fallowfield’s contribution for fuel is helping. He stated that the Fire Company would apply the additional donation to the building debt. Chief Sly inquired if the Board of Supervisors would consider the same additional donation in 2017 if the actual expenditures came in under budget again. Mr. Sciandra stated that they should not assume that for the following year as reallocation of funds may be needed to cover any unexpected Township expenditures.

Discussion/consideration regarding Water and Sewer Fund’s 2016 Budgeted Facility and Office Expense and Benefit Allocation to General Fund – Secretary/Treasurer reviewed the projected year-end cash in the water and sewer funds and the budgeted facility and office expense and benefit allocation transfer to the General Fund. She noted that she had concerns if the budgeted allocations from the Water Fund were made, the Township would be starting the year with approximately \$68,000 in the checking account. She advised that she felt comfortable with the Sewer Fund budgeted transfers as there was sufficient funds remaining in the checking account to start the year as well as money in a sewer fund money market. **Mr. Sciandra made a motion to proceed to transfer the budgeted Sewer Fund Facility and Office Expense and the budgeted Benefit Allocation to the General Fund in a total amount of \$126,695.29. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes. **Mr. Sciandra made a motion to not transfer the budgeted Water Fund Facility and Office Expense and the budgeted Benefit Allocation to the General Fund due the low year-end cash balance. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to authorize advertisement of bids for Hayti Park Retaining Wall Replacement Project – Mr. Rasiul reviewed possible bid advertising for the Hayti Park Retaining Wall Project. The Board discussed advertising prior to the new year, possibly on December 22 and 29, or if it would be best to wait under after the new year. After discussion, **Mr. Sciandra made a motion to authorize Pennoni Associates to put out the bid advertisement on PennBid in early January with bids to be open on February 10, 2017 and consideration to award contract at the Board’s second meeting in February. Ms. O’Doherty seconded the motion.** Question: Ms. O’Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to approve the carryover of up to 48 hours of additional vacation time for Officer Canale – **Ms. O’Doherty made a motion to approve the carryover of up to an additional 48 hours of vacation time for Officer Canale with the same provisions of vacation carryover noted in the Collective Bargaining Center whereby the time must be**

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**used by April 30 at the current year's rate. Mr. Sciandra seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Chief Sly inquired if the Board of Supervisors had made any type of decision regarding the trash can size allowed by the current ordinance as they were wondering if they needed to do anything to comply. He stated that they had an agreement some time ago that the Township would collect the fire company's trash. Ms. O'Doherty that they should not do anything yet with their cans as the Board is working on this issue.

### **SOLICITOR'S REPORT**

Attorney Jarvis reported on the following items:

- Mr. Jarvis reported that he reviewed the Terry Funeral Home Development, Financial Security and Professional Fee agreements which were approved this evening.
- Mr. Jarvis reported that he has been following correspondence London Tract regarding the placement of the fence around storm water detention basin. He has been communicating with Art Sagnor and Pennoni regarding if the placement is acceptable where placed.
- Mr. Jarvis reported that he drafted the Resolution for budget and tax structure which is on the agenda for consideration this evening.
- Mr. Jarvis reported that the Board will need to decide if they wish to take apposition in an upcoming zoning hearing for 686 Wagontown Road which has been scheduled for January 12, 2017.
- Mr. Jarvis inquired about the status of 123 Burgundy Lane as the property owner has not filed a zoning hearing application or brought the property up to compliance. The Board agreed to wait until the new year to begin action. Mr. Jarvis will meet with the zoning officer to review enforcement.

### **ENGINEER'S REPORT:**

Mr. Rasiul read and submitted the engineer's report which is on file at the Township Office.

Mr. Rasiul advised that Main Street should be reopened by the end of December 2016 with exception of final wearing coarse needing to be finished in the Spring as approved earlier. Ms. O'Doherty inquired about the comments regarding Lambert Spawn and applicable setbacks. Mr. Rasiul advised that a search by the Township office, solicitor and Pennoni cannot locate or confirm that there was ever a conditional use hearing for mushroom spawn.

### **APPROVAL OF MINUTES:**

**Mr. Sciandra made a motion to accept the minutes of the December 6, 2016 meeting minutes as presented. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

**TREASURERS REPORT:**

The Treasurer's Report was accepted as read.

**MOTION TO PAY BILLS:**

**Mr. Sciandra made a motion to pay bills as presented. Ms. O'Doherty seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

**2017 BUDGET:**

Discussion/consideration to adopt a Resolution to set the 2017 quarterly trash fee at \$66.25 - Ms. O'Doherty made a motion to adopt Resolution 2016-27, a Resolution setting the quarterly charge for garbage, rubbish and ash collection (i.e., solid waste) at \$66.25 per quarter per living unit. Mr. Sciandra seconded the motion. Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to adopt a Resolution to set the 2017 real estate tax rate at 2.0 mills - Ms. O'Doherty made a motion to adopt Resolution 2016-28, a Resolution setting the schedule of taxation in order to implement the budget as follows: real estate tax – 2 mills; earned income tax – 1%; realty transfer tax – 1%; and local services tax - \$52 per year (\$1 per week). Mr. Sciandra seconded the motion. Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to approve the 2017 employee salaries – Ms. O'Doherty made a motion to accept the 2017 employee pay rates as presented. Mr. Sciandra seconded the motion. Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

Discussion/consideration to adopt the 2017 Budget – Ms. O'Doherty made a motion to adopt the 2017 Budget as presented and as advertised for public inspection. Mr. Sciandra accepted the motion. Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes. 2017 budget – move to adopt 2017 as presented.

**NEW BUSINESS CONTINUED:**

Discussion/consideration to accept the Resignation of Arlin Yoder as Supervisor effective 12/31/16 – Ms. O'Doherty made a motion, reluctantly (she stated), to accept Arlin Yoder's resignation as Supervisor effective December 31, 2016 at 11:59 p.m. Mr. Sciandra seconded the motion and noted that it was also being accepted reluctantly. Mr. Sciandra also stated that it was a pleasure to work with Mr. Yoder and that he was a man of integrity, consistency, and fairness and that although they did not always agree on things the differences were accepted with respect. Mr. Sciandra thanked Mr. Yoder for all the things that he has done for Valley Township and for the personal friendship. Ms. O'Doherty stated that she also had the same sentiments. Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Mr. Sciandra – yes.

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**DEPARTMENT REPORTS:**

Solid Waste/Recycling/Roads/Sewer/Water – Monthly written report was distributed and is on file at the Township Office.

Administration – Monthly written report was distributed and is on file at the Township Office.

**PUBLIC COMMENT:**

None

**ADJOURNMENT:**

Mr. Sciandra made a motion to adjourn and Ms. O’Doherty seconded the motion. All affirmed. The meeting adjourned at 10:10 p.m.

Janis A. Rambo  
Township Secretary