

MINUTES FROM APRIL 17, 2018

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, April 17, 2018, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The Board of Supervisors meeting was called to order by Chairwoman Patrice Proctor at 7:48 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, Joe Sciandra and Patrice Proctor. Supervisor Eric Lama was absent. Also in attendance were Ed Rasiul of Pennoni Associates, Inc. (Township Engineer) and Neil A. Morris of Offit Kurman (Township Personnel Solicitor). An executive session was held at 6:30 p.m. prior to the meeting to discuss personnel issues and items on the agenda.

CITIZENS' COMMENTS ON AGENDA:

None

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

DEPARTMENT REORTS:

Public Safety – Officer Duca read the police report for February and March 2018.

Fire/Ambulance – Chief John Sly gave the monthly EMS report. He reported that there were 88 total responses by the Westwood Ambulance, of which 56 were in Valley Township. The Wagontown Ambulance Division responded to 125 calls.

Westwood Fire Company responded to 17 calls, of which 11 were in Valley Township.

Chief Sly reported that the Westwood Fire Company received a grant to purchase physical fitness equipment. The Fire Department had a 5% match.

Emergency Management – Nichole Sciandra, Deputy EMC, gave the monthly Emergency Management report. She noted that a tree on Mineral Springs Road was cleared. She noted that she will be attending a class on Sunday at the PSATS Conference. A meeting has been requested by DaVita to help them review their emergency plan.

CITIZENS COMMENTS:

Brian Reynolds of the Princeton Elite Management Group, who operates Victory Sports, gave an updated presentation to build in Valley Township. They noted that they are looking at the possibility of purchasing the property located at Business Route 30 and Airport Road. Also presenting were Kirk Webber and Mike Reddick. They stated they are looking at a 50-acre tract. The location would provide indoor and numerous outdoor fields and would include retail space,

food court, and café. The building footprint size is 500,000 square feet. They reviewed projected income for registration fees for tournaments, projected income for parking which they would be willing to split with the Township, a goal that 75% of their employees hired would be from Valley Township. He noted that as the project would move forward he would like to talk to the Police Department regarding traffic assistance. Mr. Sciandra recommended that they present the concept plan at an upcoming Planning Commission meeting.

Mary Frances Johnson, 1160 Hilltop Lane – Ms. Johnson advised discussed the following:

- Bamboo - It is her understanding that Modena Borough passed an ordinance that prohibited no new or old bamboo within the Borough. She encouraged the Township to look into the ordinance that Modena passed.
- Country Club Road Speed Limit - She also requested that the Board look into the speed limit on Country Club Road. She said that no one goes the limit, which is 15 mph through the school zone and then increases to 25 mph. She stated that her husband has been hit twice. She believes the speed limit needs to be monitored or changed.
- Sewer Rates – Ms. Johnson noted that those who just have sewer and not water pay more. The Board reviewed the rate structure that the sewer flat rate is \$209 per quarter, if paid during in the discount period, or \$220 flat rate. The metered rate is \$179.00 per quarter for the first 10,000 gallons and an additional \$11.20 for each 1,000 gallons along with the water rate of \$84.35 per quarter for the first 10,000 gallons and \$8.40 for each additional 1,000 gallons. The Board reviewed the history of the sewer treatment plant expansion that was required of PA American Water whose facility is used by Valley.
- Theft – Ms. Johnson inquired about the recent theft of funds from the Township. Neil Morris, Esquire, was introduced. Mr. Morris and his firm of Offit Kurman represent the Township on personnel issues. He reviewed what happened, the hiring of a forensic audit to determine the exact amount taken, the review of new procedures to be put into place to help avoid this from happening again. He also responded that the Township will be able to recoup the funds from an insurance claim and lawsuits against the former employee and are looking into the work of the Township's previous auditing firm.

PLANNING COMMISSION REPORT:

Michele Allen gave a report on the Planning Commission meeting of April 10, 2018. She stated that the Planning Commission reviewed the Valley Suburban plan and reviewed the pedestrian study around the intersection, pedestrian sidewalks and lighting. It was noted that there will be a public hearing on May 9, 2018, at 7:00 p.m. to review the Zoning Amendment with regards to adding a definition for “casino”, adding casino as a conditional use to Section 205, 207 and 208 of the Zoning Ordinance, and amending Part 4 by adding Section 455 to provide specific criteria for casinos.

SOLICITOR'S REPORT:

Mr. Jarvis was not present due to illness.

ENGINEER'S REPORT:

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

Mr. Rasiul confirmed that \$13,000 of soft costs from the Sucker Run project can be submitted for reimbursement.

Mr. Rasiul stated that Paul Lutz of PennDOT is not able to provide additional funding under another program to fund the left turn signal at Airport Road and Business 30 as part of the Green Light Go grant. Mr. Rasiul stated that a timer could be installed to control the light cycle. After discussion, **Mr. Sciandra made a motion to request a quote be obtained from Armor & Son to install video detection for the traffic light at Airport Road and Business Route 30. Mr. Lehenky seconded the motion. Mr. Sciandra made a motion to take the agenda out of order. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, Mr. Morris and Mr. Rasiul departed the meeting.

OLD BUSINESS:

Discussion/consideration to release escrow funds for New Horizon Ventures – Max Miller was present representing New Horizon Ventures. He presented Valley Township with a check in the amount of \$9,174.85 for past due professional fees. The Board requested proof that the deed has incorporated the wording that had been requested by Solicitor Jarvis:

Provided, the above described parcel shall not hereafter be subdivided without the grantee’s(s’) first submitting a subdivision application to the Township of Valley (“Township”), to assure compliance with all then-current Township ordinances, as well as the rules and regulations of any other governmental entity having jurisdiction over such subdivision or related matters. Final and unappealable subdivision approval by Township, together with compliance with all conditions of such approval, shall be required of the grantee(s) prior to the conveyance by them of any portion of the parcel, but shall not be required for the conveyance of the entirety of the parcel. These conditions shall be deemed to run with the land, thereby binding all subsequent owners.

Mr. Miller contacted his attorney, Art Sagnor, via telephone and he confirmed that the language would be incorporated into the deed.

Mr. Sciandra made a motion to approve the escrow fund release from First Resource Bank for New Horizon Ventures LLC contingent upon the language be incorporated into the deed between New Horizons Ventures LLC (aka New Horizon Ventures LLC) and Robert Ernest Mauger and Joann Mauger as requested by the Township Engineer, as noted in the draft minutes of April 3, 2018 – page 3, and presented to the Township prior to settlement from the Title Company and that a separate check in the amount of \$1,500 be posted with the Township for any additional professional fees related to this project. Ms. O’Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to adopt a Resolution to authorize the Chairwoman to sign the Cooperative Agreement with PennDOT for Early Action ITS – **Ms. O’Doherty made a motion to adopt Resolution 2018-07, a resolution authorizing the Chairwoman of the Board of Supervisors to sign on behalf of Valley Township the Cooperative Agreement to be entered into with the Commonwealth of Pennsylvania, acting through its Department of Transportation with regards to ITS at Airport Road and Business Route 30. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to authorize the Chairwoman to sign a lease amendment with TMobile – An amendment to the Tower Lease between Valley Township and TMobile was distributed. It was noted that the amendment includes that the monthly lease, effective the beginning of September 2018, will be \$2,203; a 3% term escalator; a 10-year rental guarantee; and a 30-year lease in five-year term option. **Mr. Sciandra made a motion to approve the lease amendment with TMobile contingent upon confirmation from the Township Solicitor that the amendment is consistent with what has been discussed. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – nay; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion to set date to meet residents interested in the Planning Commission vacant seat – The Board set the date of May 23, 2018, to talk with applicants for the vacant Planning Commission seat.

NEW BUSINESS:

Discussion/consideration to approve a caustic feed system upgrade at the Mineral Springs Plant at a cost of \$7,863 from M&S Service Company – **Mr. Sciandra made a motion approve the caustic feed system upgrade at the Mineral Springs Plant quote from M&S Service Company, dated March 20, 2018, in the amount of \$7,863.00. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to accept the extension of time to July 1, 2018 for Valley Suburban Center’s preliminary/final land development plan – **Mr. Sciandra made a motion to accept the extension of time to July 1, 2018 for Valley Suburban Center’s preliminary/final land development plan. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to accept the extension of time to June 1, 2018, for the final lot consolidation plan of Lambert Spawn – **Mr. Sciandra made a motion to accept the extension of time to June 1, 2018 for the final lot consolidation plan of Lambert Spawn. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to consider Devault Partners, LP for fill reclamation – **Mr. Sciandra made a motion to approve registering with Devault Partners, L.P. in Malvern, PA, for fill**

reclamation. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to ratify transfer of fund from PSDLAF to CSB General Fund for contractor payments in the amount of \$86,846.62 – Mr. Sciandra made a motion to ratify the transfer of \$86,846.62 from PSDLAF to Coatesville Savings Bank General Fund checking account for contractor payments. Ms. O’Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve payment to H.B. Frazer in the amount of \$17,347.50 – Mr. Sciandra made a motion to approve payment to H.B. Frazer in the amount of \$17,347.50. Ms. O’Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve payment to Jay R. Reynolds in the amount of \$51,634.12 – Ms. Sciandra made a motion to approve payment to Jay R. Reynolds in the amount of \$51,634.12. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve payment to Trefz Mechanical in the amount of \$17,865.00 – Mr. Sciandra made a motion to approve payment to Trefz Mechanical in the amount of \$17,865.00. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve payment to Perrotto Builders Ltd. in the amount of \$156,551.66 – Mr. Sciandra made a motion to approve payment to Perrotto Builders Ltd. in the amount of \$156,551.66. Mr. Lehenky seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

APPROVAL OF MINUTES:

Mr. Sciandra made a motion to table the approval of the minutes of March 29, 2018. Ms. O’Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Mr. Lehenky made a motion to accept the minutes of the April 3, 2018, Board of Supervisors meeting. Ms. O’Doherty seconded the motion. Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – abstain; Ms. Proctor – yes.

TREASURER’S REPORT:

The Treasurer’s Report was accepted as read.

MOTION TO PAY BILLS:

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

DEPARTMENT REPORTS:

Public Works – The monthly report was distributed to the Board of Supervisors and is on file at the Township Office.

Administration – The monthly report was distributed to the Board of Supervisors and is on file at the Township Office.

CITIZEN COMMENTS:

None

ADJOURNMENT:

There being no further business to discuss, the meeting was properly adjourned at 10:35 p.m.

Janis A. Rambo, Township Secretary