

## MINUTES FROM FEBRUARY 7, 2017

The regular monthly meeting of the Valley Township Board of Supervisors was held on Tuesday, February 7, 2017, at 7:30 p.m. at the Township Building, 890 West Lincoln Highway, Coatesville, PA.

The meeting was called to order by Chairwoman Patrice Proctor at 8:04 p.m. Those in attendance were Supervisors Christopher Lehenky, Kathy O'Doherty, and Patrice Proctor. Supervisor Joe Sciandra attended via Skype. Also in attendance were Ed Rasiul of Pennoni Associates, Inc. (Township Engineer) and Alan J. Jarvis, Esquire (Township 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 AGENDA ITEMS:**

Mr. and Mrs. Ansari of 9 Donna Drive asked to be placed under Citizen's Comments.

### **BOARD GENERAL COMMENTS:**

Ms. Proctor noted that the Administration Office would be closed between 11:45 a.m. and 1:45 p.m. on Monday, February 13, for an employee meeting. The Administration Office and Public Works Department will be closed on Monday, February 20, 2017, in observance of Presidents' Day. Monday's trash will be collected on Tuesday, February 21. Ms. Proctor also noted that the Inter-municipal Shredding and eWaste event would be held on Saturday, April 8 at the Kmart Shopping Center from 9:00 a.m. to noon. She also noted that eWaste can be dropped off at the Township Building during normal business hours; however, no large appliances, microwaves of any size, and no CRT televisions or monitors.

Mr. Lehenky departed the meeting at this time.

### **APPROVAL OF MINUTES:**

**Ms. O'Doherty made a motion to accept the minutes of the January 17, 2017 meeting, and the January 30, 2017 meeting as presented. Mr. Sciandra seconded the motion.** Question: Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

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

### **CITIZENS COMMENTS:**

Mr. and Mrs. Ansari, 9 Donna Drive – Mr. Ansari stated that he was able to obtain a copy of Officer Smith's report. He would like to follow up on that report.

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Mr. Sciandra stated that the claim was processed. The Code Officer did an inspection. There were 2 or 3 visits by the inspector. He requested lights be adjusted to meet the 45-degree angle. Homeowner made change and the Code Officer went out to validate. Light meter assessment was provided by Officer Smith.

Mr. Ansari stated that he had been trying to get a copy of Officer Smith's report. He stated that he sent a letter to Mr. Cutlip and Mr. Sciandra in July 2016. He would like the Board of Supervisor's comments to Officer Smith's report.

Mr. Sciandra stated that the angle does not to exceed the 45-degree angle. Second, the light intensity using the meter does not exceed limits so it does not violate our ordinance.

Mr. Ansari believes that Officer Smith and Mr. Sciandra do not understand the ordinance. He reviewed the requirement of the angle of 45 degrees. Mr. Ansari stated that the light must start from the vertical position provided that it does not cast the light passed the 45-degree angle. Mr. Ansari believes it would need to be shielded. Mr. Ansari talked in length today with Ed Latshaw and he is in agreement that the lights should be re-aimed. Mr. Ansari also noted that Officer Smith's report states the survey was conducted in the area of 7 Donna Drive. He stated it should be 8 Donna Drive. He also noted that the report did not contain a date a time on the report.

Ms. O'Doherty asked if the lights are new. Mr. Ansari stated that the houses were built around the same time. He stated that these lights were installed around the time of the arson fires. There is a grandfather clause in the ordinance; but there is a clause which he believes does not pertain to the instance.

Ms. O'Doherty asked Mr. Ansari what he is looking for? Mr. Ansari stated that he believes Mr. Cutlip and a supervisor should come out. (Mr. Lehenky rejoined the meeting at this time). Ms. O'Doherty asked if Mr. Ansari was questioning Officer Smith's ability to use the meter. Mr. Ansari stated that he believed that Officer Smith was unsure of how to use it.

Ms. O'Doherty proposed that she and Patrice Proctor would go out with the Code Inspector, Chuck Cutlip, as long as he is confident in using it and if not have someone from Pennoni Associates. She noted that this would be the last attempt to rectify. Mr. Sciandra stated that only a zoning and code official can render a judgement. Mr. Lehenky noted that it should be a clear night. It was clarified that there will be one more inspection; the zoning officer will issue the findings and any disagreement would need to result in an appeal.

### **OLD BUSINESS:**

Discussion/consideration regarding request to waive subdivision fee for Lynn McKalvey – Mr. Nick Dellapenna was present representing Ms. McKalvey. He inquired about if the Board of Supervisors had considered his request to waive the subdivision fees. The Board of Supervisors advised that they believe they can allow the old set back lines but that they cannot waive fees. Mr. Sciandra recommended that they request a preliminary/final. **Ms. O'Doherty made a motion to add to Old Business #9, "consideration to accept original setback lines for the 10/12 Jefferson Subdivision Plan". Mr. Lehenky seconded the motion.** Question: Mr.

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Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes. **Ms. O’Doherty made a motion to accept the original setback lines for the 10/12 Jefferson Subdivision Plan. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding the Spruce Street Sanitary Sewer Project/Agreements/Next Steps – Mr. Jarvis advised that he had prepared two agreements. Mr. and Mrs. Morresi stated that they were not aware of the 15% maintenance security that would be posted following the completion of the project. Mr. Rasiul and Mr. Jarvis reviewed the maintenance security requirement. Ms. Morresi stated that they had begun to complete the building permit fee. Mr. Sciandra asked that the Code Department make sure the application is complete. Mr. Brownback asked if any of the fees could be waived. The Board advised that they could not as the fees paid went towards the services provided for the project. Mr. Rasiul reminded them that as built and a deed of dedication would be needed prior to dedication to the Township. Mr. Jarvis noted that some corrections to the first page of the agreements would be made and forwarded to the parties for their execution which could be done with the Township Secretary as she is a notary.

Discussion/consideration regarding 123 Mt. Airy Road, City of Coatesville subdivision extension request and zoning hearing application status – John Carnes, Esquire, extended his apologies for not attending the last meeting when the extension request for 123 Mt. Airy Road was on the agenda. Mr. Carnes reviewed the process of obtaining Mr. and Mrs. Saha’s signatures for the zoning hearing application. The documentation was complete and had been submitted to Valley Township on February 6. He noted that the Planning Commission had recommended that the extension requested be approved and that the Board of Supervisors were split on their vote. He asked for the Board to reconsider.

Ms. O’Doherty stated that Valley Township would like to work with the City of Coatesville. She noted the issue facing the Township regarding a stormwater easement that will be needed for the Manor Road project as well as a wetlands study which needs to be signed off on by the property owner. Mr. Carnes stated that the City of Coatesville wants to move forward on the Horowitz Property. Mr. Sciandra stated that there is an outstanding basin issue on East Glencrest Road that Valley Township has been trying to get the City to acknowledge and address. He feels it is in the best interest for everyone to work together for the constituents. Mr. Lehenky stated that he and Mr. Sciandra and others have attended meetings over the years to resolve the basin issue that would have cost the City of Coatesville \$1,000 to fix.

The Board requested that Ms. O’Doherty and Mr. Jarvis ask to be placed on the City of Coatesville’s Council meeting agenda for February 13.

**Mr. Sciandra made a motion to accept the extension for 123 South Mt. Airy Road subdivision plan for an additional 90 days not to exceed May 12, 2017. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – nay; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

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

Discussion/consideration regarding adjustment for water/sewer for 417 Gilmer Road – Mr. Rumford stated that they had an unusually high usage of water and it was determined that their daughter turned on water to water plants while they were away and forgot to turn the water back off when she left. He asked if there could be relief for the water that did not go through the sewer. The Board of Supervisors reviewed Janice Duca's memo whereby she estimated that an adjustment for sewer would be for about 67,000 gallons or \$750.40. **Ms. O'Doherty made a motion to credit 417 Gilmer Road's account \$750.40. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

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

Discussion regarding Floodplain Ordinance status – Mr. Rasiul reported that the Planning Commission and Pennoni recommends going with the state model ordinance. Need to adopt new the new ordinance by September 29, 2017. A marked up copy of the model ordinance was distributed the Board of Supervisors which identifies changes from the current Valley Township ordinance. **Mr. Sciandra made a motion to table any decision regarding the floodplain ordinance. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration regarding the contract with PennDOT for the Green Light Go Program – Mr. Rasiul reported that Mr. Ellis attempted to clarify that the left turn signal is part of the project. **Mr. Sciandra made a motion to authorize the Chairwoman to sign the contract with PennDOT for the Green Light Go Program requesting approval prior to construction to ensure the full scope, including the left-turn signal, is provided. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to add guiderail, curb or other barrier to scope of project for the Hayti Retaining Wall Replacement Project and to move bid opening date – Mr. Rasiul reported that a question came in from a potential bidder if guiderail is to be installed along Front Street. It was Pennoni's understanding that the intent was to replace the wall similar to the adjacent portion of wall and to reinstall the existing chain link fence on top of the wall, not to provide a guiderail in addition to or instead of the fence. However, Mr. Rasiul advised that Pennoni looked into the need for a guiderail. The PennDOT design standards require a guiderail on any state road when a roadway contains a potential vehicular hazard r steep slope inside of the defined clear zone. Several options to comply with PennDOT's safety standards for the proposed retaining wall section were presented by Mr. Rasiul. After review of the options and discussion, **Mr. Lehenky made a motion that in order to meet the requirement for clear distance between the cartway and wall, the cartway width of Front Street would have to be reduced with a solid white shoulder line or earth buffer extending 7 feet from the wall and to extend the bid opening to February 16, 2017 at 3:30 p.m. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes. Ms. O'Doherty noted that the vendor should use a good acrylic paint.

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

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

Trees at Oakcrest – Mr. Sciandra expressed concerns regarding the report of a complaint received that the trees planted on the property located at 157 Dague Farm Drive have toxic berries on them. Mr. Rasiul stated that the trees planted were not the trees specified on the plan and therefore they will need to be replaced with the correct tree. Mr. Sciandra advised that we need to identify if the tree is indeed toxic.

Hillview/Sidewalks – Ms. O'Doherty inquired about the report of the sidewalks along the frontage of Lots 181-185. She asked if the sidewalks were roped off. Mr. Sciandra questioned responsibility. Mr. Rasiul stated that usually they call the developer to get a response and then follow up with a letter if no action. Mr. Rasiul stated that they will issue a letter to the developer. Mr. Sciandra believes there is liability for the Township to rope it off as it is not dedicated to the Township. Mr. Jarvis concurred. There was discussion regarding the possibility of police roping off area. It was asked if the zoning/code officer could do something about the situation. Mr. Sciandra concurred to ask Mr. Cutlip to look into the matter under his jurisdiction.

At this time, Mr. Rasiul left the meeting.

### **SOLICITOR'S REPORT:**

Attorney Jarvis reported on the following items:

- Mr. Jarvis reported that he developed Spruce Street sewer extension agreements.
- Mr. Jarvis reported that he has researched the City of Coatesville/Horowitz property relative to easements required for the Manor Road project.
- Mr. Jarvis stated that he has researched protocol for a Tax Collector deputizing someone as it relates to Mr. Stanton's current situation.
- Mr. Jarvis reported that he participated in a webinar on Medicinal Marijuana. He noted that he provided a copy of the handout to the Township Secretary for distribution.

At this time, Mr. Jarvis departed the meeting.

### **OLD BUSINESS CONTINUED:**

Discussion/consideration regarding the Township Building Cleaning Contract – The Board of Supervisors reviewed the proposals from S&S Cleaning Service, Anago Cleaning Systems, and JaniKing. **Mr. Lehenky made a motion to proceed to use S&S Cleaning Service when the contract with the current provider expires on February 23, 2017. Ms. O'Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O'Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Consideration to authorize designated individual(s) to sign paperwork for acceptance of new trash truck and designated individual(s) to sign paperwork for financing documents – It was reported that the new trash truck is currently in Lancaster, Pennsylvania, with delivery within the next week or so. **Ms. O'Doherty made a motion to authorize Christopher Lehenky to sign**

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**any acceptance paperwork for delivery of the truck and for Ms. Proctor to sign the financing documents. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

**NEW BUSINESS CONTINUED:**

Discussion/consideration for refund for trash and sewer for 923 Wagontown Road – The Board reviewed correspondence from Brent Balla regarding 923 Wagontown Road as well as information provided by Janice Duca on the account. Mr. Balla stated that he and his brother purchased 923 Wagontown Road. Their intentions are to completely remodel it and then rent it for a while and then possibly resell it. He stated that he had been billed for two units. Ms. Duca’s memorandum confirmed that the home was purchased in August 2015. The title company noted on the final sewer and trash bill that a U&O inspection was required prior to the sale. No inspection was ever requested or completed at the time prior to the sale, which, had done, would have verified if the property still had two units. Recently, the Township’s Code and Building Inspector verified that the unit is now back to one unit. After discussion, **Mr. Lehenky made a motion to table any decision under the Board could investigate further. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration for canceling credit cards through Cardmember Services and obtaining cards through Coatesville Savings Bank – Secretary/Treasurer reported that the current Township credit cards will expire at the end of March 2017. A proposal was received from the Township’s main depository, Coatesville Savings Bank, which would provide debit cards which would be guaranteed by the Township for a set limit per cardholder and would not be linked to the employee’s credit. **Mr. Lehenky made a motion to not renew the Township credit cards with Cardmember Services and to issue cards through Coatesville Savings Bank to the current Township cardholders at their current limit with the addition of Brian Myers at a limit of \$1,000. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration for fees to dispose CRT televisions and monitors – TBS Industries, the vendor used to dispose of CRT television from the Township has raised their prices. It was noted that Free Geek Penn will no longer take CRT computer monitors. After review of TBS’ current fees, **Ms. O’Doherty made a motion to modify the fees for CRT televisions 29” or less to \$20.00 each and for CRT televisions that are 30” or above to \$40 and to set a fee for CRT monitors 18” or less at \$20.00 each and for CRT monitors that are larger than 18” at \$20.00 each. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

At this time, 10:50 p.m., the Board took a short recess.

The meeting was reopened 10:56 p.m.

Discussion/consideration to approve Oliver Fire Protection’s quote to correct deficiencies with the automatic sprinkler system at the Maintenance Garage in the amount of \$860 – **Ms.**

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**O’Doherty made a motion to accept Oliver Fire Protection’s quote in the amount of \$860 to correct deficiencies with the automatic sprinkler system at the Maintenance Garage. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve a quote from H. A. DeHart & Son for additional repairs to the recycle truck in the amount of \$2,588.08 – The Board reviewed the quote for the PTO drive installation. **Ms. O’Doherty made a motion to proceed with the PTO drive installation in the amount of \$2,588.08 from H. A. DeHart. Mr. Lehenky seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to adopt a *Motor Vehicle Record Evaluation and Playground Review* policy as recommended by our liability insurance carrier – **Mr. Sciandra made a motion to adopt a *Motor Vehicle Record Evaluation and Playground Review* policy as recommended by Travelers Insurance Company.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes. It was noted that Chief Friel would run the annual check with another officer verifying his information.

Discussion/consideration regarding the Spring CCATO Conference – Announcement was distributed to the Board of Supervisors regarding the annual conference to be held on March 9, 2017, at The Desmond Hotel. Cost per attendee is \$65.00.

Discussion/consideration to approve the 2017 Pump Station contract with M&S Service Company in the amount of \$4,336.00 – **Mr. Lehenky made a motion to approve the 2017 Pump Station contract with M&S Service Company in the amount of \$4,336.00. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to approve the 2017 Aquatrol Service Contract with M&S Service Company in the amount of \$3,402.00 – **Mr. Lehenky made a motion to approve the 2017 Aquatrol Service Contract with M&S Service Company in the amount of \$3,402.00. Mr. Sciandra seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to appoint an Alternate to the Zoning Hearing Board – **Mr. Lehenky made a motion to appoint Vandora Brickus as an alternate member to the zoning hearing board for a three-year term to expire December 31, 2019. Ms. O’Doherty seconded the motion.** Question: Mr. Lehenky – yes; Ms. O’Doherty – yes; Mr. Sciandra – yes; Ms. Proctor – yes.

Discussion/consideration to schedule a Special Meeting of the Board of Supervisors – The Board of Supervisors confirmed a Special Meeting to be held on February 14, 2017 at 6:30 p.m. for the purpose of appointing someone to the vacant Supervisor position.

**CITIZEN’S COMMENTS:**

None

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There being no further business to discuss, the meeting was properly adjourned at 11:26 p.m.

Janis A. Rambo  
Township Secretary