

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
FEBRUARY 12, 2018

The meeting was called to order at 7:30 p.m. by Chairman Bill Miller, and the Pledge of Allegiance was recited.

Mr. Miller announced that the Board met during an Executive Session prior to the meeting to discuss possible litigation against Sunoco.

Mr. Miller also introduced Kim Doan as the new Supervisor who was then sworn in by District Judge, Lori Donatelli.

Present: Supervisors Bill Miller, Mayme Baumann and Kim Doan; Township Manager Doug Hanley; Assistant Manager Scott Greenly; Building Inspector/Zoning Officer Tom Cooke; Assistant Zoning Officer Tara Giordano; Township Secretary Katie Churchill; Township Treasurer Susan Bernhard; Fire Marshal Mike Holmes; Chief of Police Scott Alexander; Township Solicitor Mark Freed and Township Engineer Dan Daley.

Minutes: *Mrs. Baumann made a motion to approve the Minutes of January, 16, 2018; January 16, 2018 Special Meeting; January 24, 2018 Special Meeting and January 29, 2018 Special Meeting and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried. Ms. Doan abstained as she was not a member of the Board at the time of the meetings.*

REPORTS:

Police: Chief Alexander reported that there were 178 traffic citations issued, 12 criminal arrests and 43 traffic accidents during the month of January. Motor Carrier details conducted resulted in 1 truck and 2 drivers taken out of service.

Treasurer: Ms. Bernhard has submitted her report for the month of January. The following is a list of revenues and expenses:

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$ 381,835.11	\$ 666,879.84
Sewer	350,283.55	487,184.84

To date, the Township has collected approximately 4% of its budgeted revenues and spent about 7% of its budgeted expenditures.

Public Works: Mr. Hanley reported that for the month of January the Public Works Department picked up and chipped Christmas trees; erected signs that had been knocked down; salted roadways eleven times and plowed twice; washed/cleaned equipment after each snow event; performed weekly meter checks and monthly grease trap checks; and performed general maintenance of vehicles.

He also reported that for the month of January the daily average flow to Downingtown was approximately 1.39 million gpd and there were no new sewer connections to DARA or the Eagleview Plant.

The Township has received about 2 inches of rain during January with a year-to-date deficit of approximately 1 inch.

Fire Marshal: Mr. Holmes reported that he responded to 7 fire calls during regular work hours; spent 8 hours of work time handling Fire Department activity; instructed 2 fire safety classes for Day Care employees; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 45 alarms during the month of January, 32 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Baxter reported that the Ambulance Corps responded to 333 calls during the month of January, 124 of which were in Uwchlan Township.

He also announced that there continues to be free First Aid and CPR classes conducted by the Ambulance Corps staff and open to all residents.

Mrs. Baumann made a motion to accept the Reports as presented and Ms. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

BUSINESS:

Sunoco: Risk Assessment Study

Senator Andrew Dinniman welcomed the new Board members and stated that since the Governor of Pennsylvania and the PUC have taken the position that they are unable to do anything to stop Mariner 2 pipeline work, it is now up to the people of Chester County. The material that will run through this pipeline is not natural gas but something more dangerous than that.

A group of concerned citizens have formed a Committee that will perform a risk assessment of Mariner 2. The only assessment currently available is through a study conducted by Sunoco. The newly-formed Committee plans to hire professionals who will gather the data necessary to determine what the risk is. They will have an unbiased assessment of any risks.

Mr. Dinniman introduced Tom Casey who is spear-heading the organization.

Mr. Casey explained that he has been trying for 4 years to get State agencies to intercede on the citizen's behalf to stop the Mariner 2 pipeline project. Information is critical and the government is not helping or sharing information. For this reason, the Committee has been formed and a Go-Fund page started in order to raise money to pay for the Risk Assessment Study. The Clean Air Council is handling the funds free of charge.

The Committee has completed an RFP, collected some money through the Go-Fund page and is currently considering 5 different firms to do the study. They are now at a point where they will be

going to various municipalities for support. They are not publicly sharing the names of the companies that are being considered to do the study stating that they don't want the companies to be "swayed" in any way.

Mr. Miller stated that the Board is in agreement that the risks need to be studied since the State has fallen short. He asked that the Board members be given an RFP and the names of the companies being considered. He also asked what the Committee was looking for from the Township. Mr. Casey answered that the Committee needs assistance in any way possible.

The following residents posed questions:

1. Joe Fraim, 460 E. Radnor Ct. - asked if the money spent will actually stop Mariner 2.
2. Mark Toolan, 120 Lakeview Dr. - asked if the goal of the study is to stop the pipeline altogether or to get some kind of safety mechanism in place.
3. Michael Taylor, 452 Creekside Dr. - asked why the State isn't taking care of this? Harrisburg shouldn't be making the individual Townships/citizens pay. Asked Mr. Dinniman to tell the Governor to get moving on this.

Mr. Miller stated that Townships and citizens need to get their own information. Mr. Freed added that the study will serve multiple purposes; it will either stop the project or give information that has been withheld.

Mrs. Baumann made a motion to authorize the Township Solicitor to prepare and file legal action against Sunoco Pipeline and any other entities seeking to violate Township Ordinance No. 2014-06 and any other applicable Ordinances. Ms. Doan seconded the motion. Mr. Miller asked for public comment.

Mr. Fraim stated that lawsuits against Sunoco have failed in the past. He has a concern that money spent today will escalate into a lot of money spent in the future.

Mr. Taylor stated that in light of the presentation just given, isn't it premature to move forward with legal action at this time?

Mr. Freed addressed these concerns by saying if you wait, the pipeline will be in the ground and then it will be too late.

The following residents thanked the Board members and Risk Study Committee members for their interest in helping to halt the Mariner 2 project:

1. Rebecca Britton, 211 Andover Dr.
2. Carrie Gross, 207 Crump Rd.

There being no other comment, the motion was carried unanimously.

Awarding Bids for Equipment & Material:

The following bids were received and opened:

2018 ROAD BIDS

MATERIALS

Bidder	6500 T-9.5mm Plant/Delivered	2500T-19mm Plant/Delivered	25 MM Base Plant/Delivered	9.5MM Fine Plant/Delivered	Oil and Chip
Martin Paving					\$2.89 sq. yd.
Asphalt Maintenance Solutions					\$3.24 sq. yd.

EQUIPMENT - Standard/Prevailing Wage

Bidder	Paver/Roller/ Tac truck	Trucks	Sweeper	Milling w/ operator	Milling w/o operator	Sealer
Asphalt Maintenance Solutions	S - \$145.00 \$2.85 tac P - \$145.00 \$2.85 tac	S - \$95.00 P - \$95.00				\$.98 LF
CC&T					S-\$8,000.00 wk	
Dan Malloy	S - \$750.00 \$90.00 tac truck \$3.50 tac P - \$845.00 \$165.00 tac truck \$3.50 tac	P - \$95.00		S- \$340.00 P - \$375.00		
Inncon	S- \$730.00 \$3.15 tac P - \$840.00 \$3.15 tac	S - \$90.00 P - \$93.50		S - \$375.00 P - \$400.00		S - \$1.50 P - \$1.50
Macanga	S- \$600.00 \$90.00 tac truck \$3.00 tac P - \$825.00 \$90.00 tac truck \$3.00 tac	S- \$90.00 P- \$95.00		P- \$585.00		
Reilly Sweeping			S- \$125.00 P-\$145.00			

Township staff has recommended that the highlighted low bidders be awarded the various bids.

Mrs. Baumann made a motion to award the Road Materials bids and Equipment bids to the highlighted low bidders as shown on the above chart and Ms. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

4 - BOS 2/12/18

Appointment of Fire Police:

Chief Alexander has received a letter from Joel Gramling, Lionville Fire Co. listing the names of the Special Fire Police. They are as follows:

Joel Gramling
Linda Gramling
Barb Yagle
Denise Todd
Charles Lobb
Jim McFadden

Richard Ruth
John Sledgeski
Pam Lobb
Bruce Vessey
Michael Esterlis
Julio Lavin

Ms. Doan made a motion to approve the above names as Special Fire Police and Mrs. Baumann seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Appointment of Stephen Dow to Zoning Hearing Board:

Mrs. Baumann made a motion to appoint Stephen Dow as Alternate member of the Zoning Hearing Board and Ms. Doan seconded. Bill Miller asked for public comment. There being none, the motion was carried unanimously.

Presentation – Veteran’s Memorial:

Mr. Hanley reported that Phase II of the Veteran’s Memorial is underway. Chuck and Elyse Jackson from the Historical Commission are researching the Battle of the Clouds, which is a battle of the Revolutionary War. Supposedly, troops retreated during a rainstorm with some marching down Ship Rd. passing in front of the Township property where the Veteran’s Memorial sits. Plans are for the purchase of a Minuteman statue and placement of a plaque, if the facts show all this to be true. Cost to be determined at a later date.

Freddy’s – 221 Eagleview Blvd.: Preliminary/Final Land Development Plan

This Land Development Plan shows a Freddy’s Frozen Custard fast food restaurant to be located at 221 Eagleview Blvd., the current site of the Taco Maya restaurant and the former site of the Swiss Farms store. There will be a two lane drive-thru that will merge into one at the drive-thru window. This will allow for up to 16 cars to stack in this area.

Applicant is requesting a waiver from the Environmental Impact study since the site has been previously developed.

The Applicant has received review letters from E.B. Walsh dated February 5, 2018; Caruolo Associates dated February 6, 2018; Stubbe Consulting dated February 2, 2018; and Tom Brown dated February 5, 2018. All items have been addressed.

Mrs. Baumann made a motion to approve the Land Development Plan for Freddy’s Frozen Custara

5 - BOS 2/12/18

contingent on all items noted in the above listed review letters being addressed as well as a waiver

from the Environmental Impact study. Ms. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Resolution No. 2018-06: Plan Approval – Freddy’s Frozen Custard

This Resolution commemorates the Plan approval.

Mrs. Baumann made a motion to adopt Resolution No. 2018-06 and Ms. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Hankin Group – 640 Rice Blvd.: Preliminary/Final Land Development Plan

This Land Development Plan shows an existing 25,000 s.f. building located on 640 Rice Blvd., which is on the Northwest corner of Rice Blvd. and Stockton Dr. This building will be converted into a 13,500 s.f. Day Care and 11,680 s.f. office building. Access to the property will remain the same but Rice Blvd. will be realigned with Dickinson Ct.

The Day Care facility will have an outdoor play area in the rear of the building and drop-off area located off the Rice Blvd. entrance.

The Applicant has received review letters from E.B. Walsh dated January 29, 2018; Caruolo Associates dated January 24, 2018; Stubbe Consulting dated January 15, 2018; Tom Brown dated January 25, 2018; Police Department dated January 23, 2018 and Fire Marshal dated January 25, 2018. Most items contained in the reviews are housekeeping items.

The Applicant is requesting a waiver from the Environmental Impact Study since this property has been previously developed. Also, the configuration of the 4-way intersection at Rice Blvd. and Stockton Dr. will be worked out in the field.

Mrs. Baumann made a motion to approve the Land Development Plan for 640 Rice Blvd. contingent on all items being addressed in the above-noted review letters, a waiver being granted from the Environmental Impact Study and the configuration of the 4-way stop being worked out in the field. Ms. Doan seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Resolution No. 2018-07: Plan Approval – Hankin Group – 640 Rice Blvd.

This Resolution commemorates the Plan approval.

Mrs. Baumann made a motion to adopt Resolution No. 2018-07 and Ms. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

6 - BOS 2/12/18

Resolution No. 2018-08: Fair Districts – Gerrymandering

This Resolution supports the legislative efforts to amend the Pennsylvania Constitution to assign the decennial task of both Legislative and Congressional redistricting to an independent citizens redistricting commission.

Michael Taylor, 452 Creekside Dr., asked why this was needed. How will the Township benefit? Mr. Freed stated that there is a desire and interest in doing this. Many feel that, as it exists today, there is unfair districting at the National, State and local level.

Mr. Taylor asked the Board not to pass this Resolution.

Mrs. Baumann made a motion to adopt Resolution No. 2018-08 and Ms. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

ANNOUNCEMENTS:

1. 3/05 – Park & Recreation – 7:30 p.m.
2. 3/07 – Planning Commission – 7:30 p.m.
3. 3/08 – Historical Commission – 7:30 p.m. - Cadwalader House
4. 3/12 – Board of Supervisors – 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

There being no other business, Mrs. Baumann made a motion to adjourn the meeting at 8:45 p.m. Ms. Doan seconded and the motion was carried.

Respectfully submitted,

Katie Churchill
Township Secretary

/jc