

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS  
MINUTES OF REGULAR MEETING  
FEBRUARY 13, 2017

The meeting was called to order at 7:30 p.m. by Chairman Joseph E. Toner and the Pledge of Allegiance was recited.

Present: Supervisors: Joseph E. Toner, Milton H. Bozarth and Patricia D. Gaines; Township Manager Doug Hanley; Building Inspector/Zoning Officer Tom Cooke; Township Secretary Katie Churchill; Assistant Zoning Officer Tara Caputo; Township Treasurer Susan Bernhard; Fire Marshal Mike Holmes; Police Chief Scott Alexander; Sergeant Tom Fortmann and Special Counsel Tom Oeste.

Mr. Toner announced that prior to the meeting, the Board met in an Executive Session to discuss the Police Contract and labor relations.

Minutes: *Mr. Bozarth made a motion to approve the minutes of January 9, 2017 and Mrs. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

REPORTS:

Police: Chief Alexander reported that there were 165 traffic citations issued, 18 criminal arrests and 40 traffic accidents during the month of January. Motor Carrier Details resulted in pulling over 5 overweight trucks, and one truck and one driver 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	\$617,480.52	\$562,037.32
Sewer	332,518.80	205,058.92

To date, the Township has collected approximately 6.5% of its budgeted revenues and spent about 6% of its budgeted expenditures.

Public Works: Mr. Hanley reported that for the month of January the Public Works Department have worked to correct issues at the Silver Birches retention pond; collected and chipped Christmas trees; repaired a catch basin on W. Devon Dr.; repaired and replaced signs; shimmed manholes; salted roadways six times; plowed once; 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 1.5 million gpd and there were no new sewer connections to DARA or the Eagleview Plant.

The Township has received 4.23 inches of rain for January with a year-to-date surplus of .75 inches.

Fire Marshal: Mr. Holmes reported that for the month of January he responded to 9 fire calls during working hours; spent 7 hours of work time handling Fire Department activity; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 36 alarms during the month of January, 19 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Baxter reported that the Ambulance Corps responded to 321 calls during the month of January, 96 of which were in Uwchlan Township.

*Mr. Bozarth made a motion to accept the Reports as presented and Mrs. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

**BUSINESS:**

**Awarding Bids for Road Equipment and Materials:**

The following bids were received and opened:

**2017 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
Asphalt Industries					\$3.99 sq. yd.
Asphalt Maintenance Solutions					\$3.12 sq. yd.
Martin Paving					\$2.59 sq. yd.
Glasgow Inc.	P- \$41.00 D-\$47.85	P-\$40.00 D-\$46.85	P-\$36.00 D-\$42.85	P-\$43.00 D-\$49.85	
Allan Myers	P-\$42.49 D-\$47.86	P-\$40.70 D-\$46.07	P-\$39.00 D-\$44.37	P-\$44.90 D-\$50.68	
Highway Materials	P-\$43.37 D-\$48.72	P-\$39.92 D-\$45.27	P-\$37.04 D-\$42.39	P-\$49.37 D-\$54.72	

EQUIPMENT - Standard/Prevailing Wage

Bidder	Paver/Roller/ Tac truck	Trucks	Sweeper	Milling w/ operator	Milling w/O operator	Sealer
Asphalt Maintenance Solutions	\$135 hr \$2.65 gal	\$90.00				\$.86 LF
Reilly Sweeping			S-\$124 hr P-\$144 hr			
Unitex	S-\$800 hr P-\$910 hr	S-\$100 hr P-\$115 hr		S-\$425 hr P-\$510 hr		
Dan Malloy Paving	S-\$750 hr \$135 hr \$3.20 gal P-\$845 hr \$165 hr \$3.20 gal	S-\$80 hr  P-\$94 hr		S-\$280 hr  P-\$350 hr		
Inncon	S- \$575 hr \$3.00 gal P-\$760 hr \$3.00 gal	S-\$90.00 hr  P-\$90.00 hr		S-\$350 hr  P-\$380 hr		S-\$1.50 LF  P-\$1.50 LF
CC&T Highway Equipment					\$7,200.00 wk	

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

Mr. Bozarth asked if Mr. Oeste has reviewed the bids. He said he had not but stated that Township staff has thoroughly reviewed the bidders information.

*Mr. Bozarth made a motion to award the Road Material bids and Equipment bids to the highlighted low bidders as shown on the above chart. Mrs. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

Resignation of Alice Johnson from the Planning Commission:  
Appointment of Tim Bucher to the Planning Commission:

The Township has received a resignation letter from Mrs. Johnson effective immediately. Consequently, the Planning Commission has interviewed and recommended Tim Bucher be appointed as a voting member, filling the vacancy.

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*Mr. Bozarth made a motion to reluctantly accept Mrs. Johnson's resignation and appoint Mr. Bucher as a voting member of the Planning Commission. Mrs. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

Hankin – Request for 2017 Events in Eagleview:

The Township has received a list of events planned for the summer in the Eagleview Town Center, all similar to those held last year. Sergeant Fortmann stated that the Police Department has no issues with the request, and the Fire Police have been made aware of the schedule.

*Mr. Bozarth made a motion to approve the events as stated in the letter and Mrs. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

Neal Fisher and Bob Hankin were present and thanked the Township.

LYA & Lionville Park: Foster Field Complex

The Township Park & Recreation Board has received a letter from the Lionville Youth Association requesting that Foster Field located within Lionville Park off of Devon Dr. be renamed “Foster Complex at Lionville Park” and voted unanimously to recommend the name change.

Mr. Bozarth noted that there are many different organizations involved with Lionville Park and questioned if the change would be setting a precedent.

Mr. Toner stated that the change will acknowledge all the efforts that the Fosters gave to the success of the LYA program at Lionville Park.

*Mr. Bozarth made a motion to approve the name change discussed and Mrs. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

Sewer Transfer Request:

Mr. Hanley explained that DARA is composed of 5 different municipalities, allowing for each to sell their municipalities’ sewer capacity to another, if and when needed. Currently E. Caln Township has requested capacity and Downingtown Borough has offered capacity at \$22/gallon. Although Uwchlan Township is not in need of any additional sewer capacity, Tom Brown, Uwchlan’s Sanitation Consultant, has suggested that the formula used to reach the cost of \$22/gallon be re-evaluated since it is too costly and should be more in line with construction indices. In order for E. Caln’s purchase to go through, all municipalities must agree

*Mr. Bozarth made a motion to decline Uwchlan’s purchase of any additional capacity, signing approval of E. Caln’s purchase but ask DARA to re-evaluate the formula that is used to determine the cost. Mrs. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

Mr. Oeste stated he was “OK” with the friendly suggestion.

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Luludoli LLC – 5 S. Village Ave.: Preliminary/Final Land Plan Approval  
(Resolution No. 2017-07)

This Preliminary/Final Land Development Plan shows the conversion of an existing historic structure located at 5 S. Village Ave. into six apartments with parking. The Applicant has received approval for several variances from the Zoning Hearing Board, which include an increase in amount of impervious coverage, a reduction from the required setback for the parking area, as well as from the planting strip adjacent to the parking area.

The Applicant has received a review letter from E.B. Walsh dated January 23, 2017 and has agreed to all of the items contained therein.

*Mr. Bozarth made a motion to approve the Preliminary/Final Land Development Plan for Luludoli LLC based on the recommendation of the Planning Commission at their meeting on February 1, 2017 and compliance with all items in the E.B. Walsh review letter of January 23, 2017. The motion also adopts Resolution No. 2017-07, memorializing same. Mrs. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

The meeting was adjourned at 7:51 p.m. for a hearing on the following Ordinance:

1. Ordinance No. 2017-02: Medical Marijuana

**See Court Reporter's Transcript** for detailed information. Ordinance No. 2017-02 was adopted unanimously.

The meeting was re-convened at 7:56 p.m.

Ordinance No. 2017-03: Zoning Regulations in the RR District

Hearing on this Ordinance was deferred until the March Board meeting due to a problem with the advertisement of the Ordinance.

Clarion Hotel at Exton (Former Wyndham Gardens) Request for "Temporary Violation" per Section 802.6 to Use a Cloth Banner Until Conforming Signs are Manufactured:

The new Owners ordered signs in December but they are not ready. In the interim, they have requested approval of a temporary cloth banner. Mr. Cooke stated that the "temporary violation" may be issued for up to 6 months.

*Mr. Bozarth made a motion to recommend the Zoning Officer grant the temporary violation for 60 days and Mrs. Gaines seconded. Mr. Toner asked for public comment.*

Joe Fraim, 460 E. Radnor Ct., questioned how the banner would be maintained. Mr. Cooke stated that that information about maintenance is included in the "Violation" section of the Ordinance.

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*After public comment, the motion was carried unanimously.*

ANNOUNCEMENTS:

1. 03/01 - Planning Commission – 7:30 pm.
2. 03/06 - Park & Recreation – 7:30 pm.
3. 03/08 - Zoning Hearing Board – 7 pm.
4. 03/09 - Historical Commission – 7:30 pm. Cadwalader House
5. 03/13 – Board of Supervisors – 7:30 pm.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Fisher asked if Hankin's request for a preliminary planning meeting on a tract on Lionville Station Rd. has been given to the Planning Commission, yet. Mr. Toner stated that the Commission has not seen anything; the Board would like to first meet with Township staff to discuss.

*There being no other business, Mr. Bozarth made a motion to adjourn the meeting at 8:03 p.m. Mrs. Gaines seconded the motion and the motion was carried unanimously.*

Respectfully submitted,

Katie Churchill  
Township Secretary

/jc