

# UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

## MEETING MINUTES MARCH 2007

March 12, 2007 / March 26, 2007 (Canceled)

### March 12, 2007

The meeting was called to order at 7:30 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

**Present:** Supervisors: Frederick W. Gaines, Milton H. Bozarth and Joseph E. Toner; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Secretary Lynda Phiel; Fire Marshal Michael Holmes and Lieutenant Pontarelli.

**Arriving Late:** Attorney Guy Donatelli

**Minutes:** The minutes of February 26, 2007 were approved by a motion made by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **BUSINESS:**

#### **REPORTS:**

**Police:** Lieutenant Pontarelli reported that there were 186 traffic citations issued, 28 criminal arrests and 44 automobile accidents during the month of February. He also announced that the shooting range is out of service since the bullet trap is broken, and asked for approval to replace it with an updated bullet trap. Mr. Donatelli has given his OK to proceed.

Mr. Bozarth made a motion to approve the purchase and installation of a new bullet trap and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

**Treasurer:** Ms. Bernhard was absent. Mr. Hanley reported that she is still working with the Auditors.

**Road Department:** Mr. Hanley reported that for the month of February the Road Department salted the roadways seven times and plowed 2 times; moved furniture at the Township building following renovations; repaired & replaced signs; cleaned out various catch basins; and serviced and repaired equipment.

**Sanitation Department:** Mr. Hanley reported that for the month of February:

Daily Average Flow:

Downingtown 1.71 million gpd

There was one new sewer connection to DARA and 2 to the Eagleview Plant during the month of February. The Township has received 3.6 inches of precipitation during February, which is a surplus of .5 inches.

**Fire Marshal:** Mr. Holmes reported that he answered 18 fire calls during the month of February, 8 of which were during work hours; reviewed plans for commercial buildings and conducted inspections of those under construction; assisted Road Department 9 times with salting/plowing; and spent approximately 12 hours of work time on Fire Company business.

**Lionville Fire Co.:** Mr. Holmes reported that the Fire Co. answered 44 alarms during the month of February, 21 of which were in Uwchlan Township. He also noted that one of the fire trucks was involved in an accident and is getting repaired. In the interim, the Company has borrowed a truck from the Berwyn Fire Co.

**Uwchlan Ambulance Corps:** Mr. Durr reported that the Ambulance Corps responded to 212 calls during the month of February, 63 of which were in Uwchlan Township.

**Facilities Committee:** Mr. Cooke reported that the Township is waiting for three more lights that were back-ordered. Other than that, most of the work has been completed in the Township building.

The Board accepted the Reports as submitted.

#### **Road Material/Equipment Bids:**

The following bids were received:

#### **2007 EQUIPMENT/MATERIALS BID RESULTS**

POLY FEX SEALER (per pound)	Plant	Delivered
AMS	.36	.389
E.J. Breneman	.55	.57

<i>TAR POT/CREW</i>		<i>Hourly</i>			
AMS		350.00			
E.J. Breneman		697.50			
<i>TAC COAT</i>		<i>Gallon</i>	<i>Hourly</i>		
AMS		1.95	95.00		
Asphalt Paving		2.00	115.00		
<i>SWEEPER</i>		<i>Hourly</i>			
Reilly		95.00			
<i>MILLING</i>		<i>Hourly</i>			
Delaware Valley		305.00			
Macanga		435.00			
	<i>PAVER/ ROLLER</i>	<i>TRI-AXLE</i>	<i>OVERSIZED TRUCK</i>	<i>EXCAVATOR</i>	
<i>EXCAVATOR WITH BOOM</i>					
	<i>Hourly</i>	<i>Hourly</i>	<i>Hourly</i>	<i>Hourly</i>	
Macanga	365.00	75.00	75.00		
Trego	465.00	70.00	85.00	130.00	
	115.00				
<i>STONE</i>	<i>3A</i>	<i>½"</i>	<i>#4</i>	<i>Anti-Skid</i>	<i>18-24"</i>
24-36"					
Hanson	8.50/11.65	12.30/15.35	9.95/13.10		
Stoltfus	5.90/14.02	7.00/15.12	5.90/14.02	15.00/23.12	10.00/21.12
11.00/23.12					
Martin	5.25/10.73	7.75/13.23	7.00/12.48	8.50/13.98	10.00/19.48
	10.00/19.48				
	<i>9.5mm Wearing</i>	<i>19mm Binder</i>	<i>25 mm Base</i>	<i>9.5mm Fine</i>	
Highway Materials	39/55/45/55	36.35/42.35	33.35/39.35	40.50/46.50	
Independence	38.00/43.04	34.50/39.54	32.75/37.79	38.50/43.54	

Low bidders are highlighted.

Mr. Bozarth made a motion to approve the low bidders as shown above and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Mr. Hanley noted that the rising oil prices are affecting the cost of materials, which then affects the amount of road work the Township can do with the funds allotted for the road improvements. A revised Road Program will be presented at the next meeting.

**State Highway 12-Year Improvement Plan:**

Mr. Hanley explained that PennDOT has implemented its new 12-Year Improvement Plan which lists projects they expect to do within that period of time. Uwchlan has the following two projects on that list:

1. Vanguard road improvements along Rt. 100/Sheree Blvd.
2. Road widening of Rt. 100 with jughandle removal

The Township would like these two projects to remain on the list as priorities.

Mr. Bozarth made a motion to reiterate to PennDOT that these two projects are priorities and should remain on the 12-year Improvement Plan. Mr. Toner seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

**ANNOUNCEMENTS:**

1. 3/15 - Zoning Hearing Board - 7:00 p.m. - Harvest Development - Deck Height Variance & Emani- Rear Yard Variance
2. 3/19 - Board of Supervisors - 7:30 p.m. - Target Conditional Use Hearing - Continued
3. 3/26 - Board of Supervisors - Regular Meeting - 7:30 p.m.

**OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT:**

John Shelton of Shryrock Brothers, Inc. asked the Board if and when they would be discussing a letter the Township received on March 7, 2007 from DEP, which dealt with a sewer issue. Mr. Hanley told him that the letter was forwarded to the Township's attorney and would not be discussed at this Township meeting since it was an attorney-client situation.

Mr. Shelton was not satisfied with this answer and directed it again to the Board. Mr. Gaines replied that if, after the Attorney has reviewed the item, and determines that it is something that should be discussed in an open

forum, it will be. Still not satisfied, Mr. Shelton continued to question the Board at which time Lieutenant Pontarelli asked him to leave the premises or he would be removed.

Mr. Donatelli arrived late to the meeting, was apprised of the situation and told Mr. Shelton that the letter was in his possession but has not been discussed with the Board members. He will review the letter and if it warrants discussion at a public meeting, it will be discussed at a public meeting.

John Ganski, 116 Lakeview Dr., asked why the snow plow drivers must drive so fast while plowing the streets? The snow is pushed up over the sidewalks and becomes an added burden to the homeowner to remove. Mr. Gaines replied that he is not alone, that a certain speed is necessary to remove the snow from the roadway. He said he has no magic answer.

Ed Donegan, 190 Kent Dr., asked questions regarding the Township Ordinance which outlines removal of cars from the street during snowstorms to allow for the plowing of the road. He received a ticket from the Township Police and wanted Mr. Donatelli's interpretation of the Ordinance.

Mr. Donatelli explained that Mr. Donegan needs to consult his own attorney since a ticket has already been issued. They could then go to the District Judge with their argument. After that, Mr. Donatelli said he would be glad to discuss his interpretation of the Ordinance with Mr. Donegan

The Board members announced that they would be going in to Executive Session to discuss a legal issue.

Mr. Toner made a motion adjourn the meeting at 7:58 p.m. Mr. Bozarth seconded and the motion was carried.