

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
APRIL 10, 2023

The Meeting was held at Lionville Middle School Auditorium. The meeting was called to order at 7:30 p.m. by Chairperson Mayme Baumann. Mrs. Baumann announced there was an executive session on April 4, 2023 to discuss a conditional use pending before the Board.

Present: Supervisors: Mayme Baumann, Laura Obenski and Bill Miller; Township Manager Scott Greenly; Assistant Township Manager Katie Churchill; Building & Zoning Official Tara Giordano; Police Chief Scott Alexander; Fire Marshal Mike Holmes and Township Solicitor Mark Freed.

Minutes:

Mrs. Obenski made a motion to approve the minutes of the March 13, 2023 & April 3, 2023 meeting and Mr. Miller seconded. Mrs. Baumann asked for public comment, there being none, the motion was carried unanimously.

Reports:

Police: Police Chief Scott Alexander reported that for the month of March, 2023, the Uwchlan Township Police Department officers documented 1,252 entries in the police department call reporting system. During the reporting period the officers issued 169 traffic citations, they investigated 28 motor vehicle crashes and arrested 16 individuals.

Additionally, for the month of March, the department members conducted 3 motor carrier details at the weigh station, resulting in 766 commercial motor vehicles being weighed, 2 of which were found to be overweight. During the details, the officers also performed 13 inspections and found numerous violations which required 3 vehicles and 2 drivers to be placed out of service. During one of the details, the officers were assisted by members of the Pennsylvania State Police who took an adult into custody on an outstanding arrest warrant. Sergeant McBride conducted an additional 16 commercial vehicle inspections during his normal workdays, resulting in 6 vehicles and 1 driver being placed out of service. Sergeant McBride also stopped 6 of those drivers because they were operating on restricted roadways.

Treasurer: Ms. Bernhard reported that for the month of January we collected over 24% of our budgeted revenues and spent 23% of our budgeted expenditures.

Public Works: Mr. Greenly reported that for the month of March the daily average flow was 1.5 million gallons per day. There was no new connection to the DARA treatment plant or the Eagleview treatment plant. The Township has received 1.9 inches of rain during the month of March. Normal for March is 3.50 inches. The year-to-date rain fall in Uwchlan Township is 6.12 inches.

The Public Works Department for the month of March has completed storm water management work, replacing two m-tops on catch basins in front of the upper garage; replaced 68' of 18" storm pipe on Welsh Ayres; picked up more of the replacement pipe for Welsh Ayres; hauled in stone for pipe work in Welsh Ayres. The Public Works Department for the month of

March completed maintenance work which included, repair of a sunken areas on Pine Creek Rd at Worthington and on Taylor Rd between Peck and Horseshoe; hauled diamond tex for ball fields; hauled scrap to recycling; cleaned the lower garage; picked up trash bags off Rt. 100 ramp and moved furniture in the administrative building. The department also preformed state inspections of trucks and trailers as well as regular maintenance and service of equipment as necessary.

Fire Marshal: Mr. Holmes reported during the month of March the Building Department issued 96 permits for construction projects, had 114 inspections, had 18 fire code inspections, and issued 41 use and occupancy certificates. There were 14 incidents during working hours and conducted 3 burning complaints.

Lionville Fire Company: Mr. Holmes reported that the Fire Company responded to 57 alarms during the month of March. Of those, 31 were in Uwchlan Township, 9 in Upper Uwchlan, 4 in West Pikeland and 13 in other Townships. Total responses year to date is 136.

Uwchlan Ambulance Corps: No report.

Mrs. Obenski made a motion to approve the reports as given and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

BUSINESS:

1. Consider Authorizing Participation in Opioid Settlement Agreement- Teva, Allergan, CVS, Walgreens, and Walmart

Mr. Greenly said the Township was made aware of this settlement agreement. We are asking for permission for the Township to participate.

Mrs. Obenski made a motion to approve participation of Uwchlan Township in the Opioid Settlement Agreement and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

2. Awarding of BID for Peck Road Culvert Structure

Mr. Greenly stated that the bids were opened on April 5, 2023 at 10:00 am via the PennBid online platform. This bid is for the purchase of the precast concrete and arch structure and the concrete revetment only and does not include the cost to install or provide any construction activities. The lowest responsible bidder was Contech Engineer Solutions, LLC of Downingtown, PA for \$275,377.00. This was reviewed by the Township engineer EB Walsh.

Mrs. Obenski made a motion to approve the bid from Contech Engineer Solutions, LLC for \$275,377.00 and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

3. Awarding of BID for the 2023 Road Paving Program

Mr. Greenly stated that the bids were received electronically utilizing PennBID on April

6, 2023 at 10:00am. The lowest responsible bidder was Di Rocco Bros., Inc. of West Chester, PA for \$103,736.98 for base bid. For Base Bid and Alternate Bid, the lowest responsible bidder was Di Rocco Bros. for \$123,423.94.

Mrs. Obenski made a motion to approve the bid from Di Rocco Bros., LLC and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

4. Ratifying the Township's Participation in the Mayors' Monarch Pledge Program

Mr. Greenly said to help preserve the monarch butterflies in the area, the Township, along with the Environmental Advisory Council, has been doing many of the action items that are in the pledge and the Township would like to ratify their participation in this program.

Mrs. Obenski made a motion to ratify the Township's Participation on the Mayors' Monarch Pledge Program and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously.

5. Consider Authorizing the Solicitor to Draft Agreement for Emergency Access on N. Milford Road

Mr. Greenly explained that FEMA needs access agreements to proceed with funds for the washout on North Milford Road due to Hurricane IDA.

Mrs. Obenski made a motion to approve authorization for the solicitor to draft agreement for emergency access N. Milford Rd and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously

6. Resolution 2023-13 Observing April 23rd -29th , 2023 as National Library Week

Mr. Greenly said this resolution encourages all residents to visit the libraries and explore all that libraries have to offer.

Mrs. Obenski made a motion to approve resolution #2023-13 observing April 23rd – 29th as National Library Week and Mr. Miller seconded. Mrs. Baumann asked for public comment. There being none, the motion was carried unanimously

7. Ordinance #2023-03 - Hotels, Motels and Inns Maintenance Regulations

This ordinance was recorded by the court reporter and there will a transcript. There is a continuance for May 8, 2023.

ANNOUNCEMENTS: *All meetings will be at the Township building unless otherwise noted*

1. 04/11 – Community Day Committee – 7:00 pm
2. 04/13 – Historical Commission – 7:30 pm – *Cadwalader House*
3. 04/20 – Environmental Advisory Council Workshop Meeting – 7:00 pm
4. 04/21 – Industrial Development Authority – 9:00 am
5. 05/01 – Board of Supervisors Workshop Meeting – 12:00 pm
6. 05/01 – Park & Recreation Committee Meeting – 7:00 pm
7. 05/03 – Planning Commission Meeting – 7:30 pm
8. 05/08 – Board of Supervisors – 7:30 pm

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Greenly gave a history of the property on Lionville Station Road and what the next steps would be for the public to get involved. Mrs. Baumann also added that Board of Supervisor Meetings are usually hybrid, but since we moved locations, we could not accommodate that and any emails received are regarded as public comment.

Those that had questions and comments on Lionville Station Road property were:

- Ashley Klein (Harshaw Dr) – This proposed project is at the edge of our Township, others who are in other Townships will be affected as well and have no way to state their concerns.
- Kevin Lambert (Harshaw Dr) – Raised questions about conditional use based on the size and the parking at the proposed space. This is not characteristic of Uwchlan Township.
- Rich Siegal (Harshaw Drive) – Asked about the rescheduling of the Planning Commission Meeting. Also, is there anything else that should be on the website right now? Concerned and appreciates the careful reviews. How will the Planning Commission make sure this plan will not impact the Township?
- Bruce Kautsky (Silver Fox Ln) – Concerns over noise and construction. The noise ordinance protects residents from a nuisance. This will impact property real estate, disturbs the peace and this traffic and noise will be running close to residents. How will this meet the Township Ordinance during and after construction?
- Ashley Hein (Cara Ct) – The zoning ordinance talks of public health, safety, welfare. Current proposal puts a traffic burden on the Township. Why are we considering this when we have one of the busiest intersections in Chester County? Is it the position of the Board that this plan will not impact Lionville Station Road or Rt.113?
- Kelly Scott – Why did we approve one before this?
- Heather Dunghe (N. Ship Road) – Process for the traffic studies, environmental studies, who absorbs the costs? EMS is already stretched thin and this would add another cost.
- Mark Alloway (Uwchlan Ambulance) – This will have a serious impact on Ambulance response.
- Joan Cohen – Will this be approved? She shared her experience on the zoning Board in West Pikeland.
- Mark Yorgey (Harshaw Dr) – Questioned why Happy Days Farm was approved but then a ban on single use plastic bags. You are talking out of both sides of your mouth. Not allowing this project should be a no brainer.
- Jim May (Harshaw Dr) – Issues and concerns over traffic and how EMS will be affected. Traffic studies need to be done.
- John Lauger – Concerns of drinking water since he is on a well and his property abuts this parcel. Oils, grease may find their way contaminating the wells.
- Kent Empie (Lionville Station Rd) – Do not support variances or conditional use of anything more than is allowed.

- Ken Dixon – Public Park would serve the Township here. Preserve the open space.
- Steven Lee (Harshaw Dr) – Enforce local ordinances.
- Kathy Reardon (Harshaw Dr)– Suggested and independent / assistant living for the 65+ population.
- Brett Borello – Work with the school district for a plan that benefits the community.
- Matt Hanes (Harshaw Dr) – A tributary runs through the project site, it is a bad idea.
- Michelle DeFaeo – How can we help you shut this down? Do we have enough warehouses?
- Ted Trellinger – Hope we can keep the character of the Township.
- Kelly Hagelauer (E. Township Line Rd) – Will Happy Days Farm have to go by the new water act? How will this add to the current workloads at the weigh station?
- Jim Miller – Concerned about Rt. 113 traffic and asked about the traffic plans.
- Leslie Dwyer (Jennifer Drive) – Hearing for this over the summer and there will be less people. We are still concerned if the crowds are lower.
- Katrina Wysocki (Byers Rd) – Having a warehouse close to homes is scary as we do not know what is being stored there. Concerned over the water supply and traffic.
- Tom Ippolito (Byers Rd) – The white house in the middle of the road that is owned by Hankin, how will trucks get through? Concerned about traffic. If the school district owns the property that means we own it and should get a say.
- Mike Hein (Cara Ct) – Lionville Station Road has a weight limit. The comprehensive Plan has Lionville Station Road proposed as open space.
- Matt Lowe – No one here thinks this is a good idea, no one wants it. It will bring traffic.
- Marylou Griffin (Concord Ave)– spoke on Cumberland County traffic who has warehouses
- Dave Fertell (Valley View Lane)– How did Happy Days Farm get approved?
- Chris Sing– Concerned about the character of the Township. Implore you to consider character of the community. There are 2 houses there considered historic, looking at the sketch plan, you do not see those houses.
- Steve VanWahlen – Appreciates the Board of Supervisors response and honesty. Make the right decision.
- Cynthia McCurdy (Saddlebrook Cir) – Has the property been sold?
- John Sysco – Concerns about traffic. Cars are passing by school busses.

There being no other business Mrs. Obenski made a motion to adjourn at 9:48 p.m., Mr. Miller seconded and the motion was carried.

Respectfully submitted,
Katie Churchill