



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING
August 15, 2016
7:00 p.m.
Approved

In Attendance:

Board of Supervisors

Guy A. Donatelli, Chair
Kevin C. Kerr, Vice-Chair
Jamie W. Goncharoff, Member

Township Administration

Cary B. Vargo, Township Manager
Gwen A. Jonik, Township Secretary
Jill Bukata, Township Treasurer
John DeMarco, Police Chief
Mike Heckman, Director of Public Works
Al Gaspari, Codes Administrator
MaryLou Lowrie, P.E., Township Engineer

Mr. Donatelli called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, and offered a moment of silence.

Approval of Minutes

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve as presented the minutes of the July 12, 2016 Board of Supervisors Workshop and the July 18, 2016 Board of Supervisors Meeting and Conditional Use Hearing. The Motion carried unanimously.

Approval of Payments

Mr. Goncharoff moved, seconded by Mr. Kerr, to pay all vendors as listed August 11, 2016. The Motion carried unanimously.

Treasurer's Report

Jill Bukata requested the Board's approval to transfer \$270,000 from the Capital Fund to the Act 209 Fund in accord with the 2016 Budget. Mr. Kerr moved, seconded by Mr. Goncharoff to approve the transfer of funds. The Motion carried unanimously.

Mrs. Bukata reported the Township's financial position remains strong, year-to-date revenues are at 63% of the budget, expenses are at 52% of the budget and earned income tax revenue to date is \$1,929,770, which is \$69,000 higher than at this time last year.

Supervisors Report

Mr. Donatelli read the following published calendar: September 5, 2016 Office closed – Labor Day; September 13, 2016, 4:00 p.m. Board of Supervisors Workshop, September 19, 2106 7:00 p.m. Board of Supervisors Meeting; and Yard Waste Collection Dates are August 24, September 7, 14, 21 and 28.

Administration Reports

Township Engineer's Report

MaryLou Lowrie reported that plans for Byers Station Parcel 5C were reviewed by the Planning Commission at their July meeting and the Applicant will submit revised plans; a preconstruction meeting was held for the Reserve at Chester Springs (Frame property) project.

Building and Codes Department Report

Al Gaspari reported that 55 building permits were issued in July, totaling \$8,120.00 in permit fees; Marsh Creek Eagles have started their pre-season; Eagle Scout candidate Ryan Wilson is starting his Eagle Scout project this week – constructing a storage box for Diamond-Tex material at Hickory Park; a flag retirement ceremony is being coordinated, assistance by Jim Dewees, to take place at Upland Farms in the near future. The flag collection box at the Police station has been emptied 3 times. Mr. Goncharoff advised the Marine Corps could also provide assistance; paving is nearing completion in Eagle Manor, Windsor Place and Heather Hill – the neighborhoods involved in the public sewer expansion project.

Police Chief's Report

Chief DeMarco reported 1,244 incidents were logged in July, including 17 crimes; the Department welcomes part-time employee, Officer Stoltzfus.

Public Works Department Report

Mike Heckman reported that the Department has continued with mowing activities and routine maintenance at Township-owned facilities, performed preventive maintenance and repairs on vehicles and equipment, prepared specific roadways for paving, repaired storm water inlets, and completed the following work orders: 4 Authority related; 108 PA-1 calls; 30 general public works; 5 Parks related; and 9 trash/recycling related. With summer drawing to a close, our seasonal help returns to college, reducing the mowing crew to 2; roadside mowing equipment has been repaired; pavement marking and snow removal contract bids were received; and the Public Works Department assessment has been completed by Lafayette College.

Land Development

Mr. Donatelli advised that Alyson Zarro, Esq., Riley Riper Hollin & Colagreco had requested an extension to March 21, 2017 of the Conditional Use Approval for Gunner Properties' 270-290 Park Road project as a building permit hasn't been applied for within the 6-month timeframe. The delay in applying is due to public sewer planning and other permitting processes are not yet complete or approved.

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve the extension to March 21, 2017 of the Conditional Use Approval for Gunner Properties' 270-290 Park Road project. The Motion carried unanimously.

ADMINISTRATION

2016 Pavement Marking Contract. Mike Heckman advised that the 2 bids received for the 2016 Pavement Marking contract were opened August 11, 2016 and the low bidder was Alpha Space Control. The total bid is higher than budgeted so the scope of work will be adjusted to stay within budget.

Mr. Kerr moved, seconded by Mr. Goncharoff, to award the 2016 Pavement Marking contract to Alpha Space Control at the individual per item amounts listed on the bid forms and not exceeding budget. The Motion carried unanimously.

2016-2017 Snow Removal Contract. Mike Heckman advised that the 3 bids received for the 2016-2017 Snow Removal Contract were opened August 11, 2016 and in a rare turn of events, all pieces of equipment (with drivers) sought would be provided between the 3 contractors. Mr. Kerr moved, seconded by Mr. Goncharoff, to award the 2016-2017 Snow Removal Contracts as follows. The Motion carried unanimously.

6-Yard Dump Truck with plow and salt spreader:
P.J. Reilly (1 truck) at \$200/hour and Exton Paving (1 truck) at \$178/hour.

4-Wheel Drive Pick-Up Truck with plow and salt spreader:
Mulch and More (2 trucks) at \$140/hour each, P. J. Reilly (1 truck) at \$138/hour and
Exton Paving (2 trucks) at \$132/hour each.

2016-2017 Sodium Chloride and De-Icer Program. Mike Heckman advised that Upper Uwchlan has been participating in a consortium of 5 townships for the purchase of sodium chloride, solar salt and de-icer. We pay 1/5 of the bid process costs and the prices bid for the materials are less than the State's contract price. The Board is requested to agree with the Consortium to award the sodium chloride, solar salt and deicer contract to Eastern Salt Company. Mr. Goncharoff moved, seconded by Mr. Kerr, to accept the Consortium's recommendation to award the contract to Eastern Salt Company. The Motion carried unanimously.

St. Elizabeth's Parish vs. Upper Uwchlan Township Settlement Agreement. Cary Vargo advised that during St. Elizabeth's Conditional Use and land development approvals, land was slated for dedication to the Township for Graphite Mine Road. Their traffic impact fee was deferred for many years until St. Elizabeth's School was near capacity and a credit was supposed to be issued to them for some of the lands. The traffic impact fee amount has been under dispute by St. Elizabeth's, and the Township and St. Elizabeth's have reached a settlement. The Township will issue a \$40,000 credit for land previously dedicated to the Township plus an additional 2 acres of land for expansion of Graphite Mine Road, if needed. Of the remaining \$106,956 traffic fee owed, St. Elizabeth's will pay \$58,000 and the rest will be written off. A Settlement Agreement and Mutual Release will be executed.

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve and execute the Settlement Agreement. The Motion carried unanimously.

Traffic engineering services – Right of way acquisition. Mr. Donatelli advised that this request is for approval of McMahan Associates' \$9,200 quote to provide services to the Township regarding right-of-way documentation for potential expansion of Graphite Mine Road at some point in the future. McMahan Associates would research deeds, confirm boundaries, compile right-of-way documentation and perform the field stakeout so that if State or Federal funds would be available and it'd be feasible to expand Graphite Mine Road, the necessary documentation would already be prepared. Mr. Goncharoff asked if there is a timeline in mind. Mr. Vargo advised that an expansion could be as far as a decade away, as noted on the Transportation Capital Improvement Plan, and the Township wants to swap Graphite Mine Road for Pottstown Pike.

Mr. Goncharoff moved, seconded by Mr. Kerr, to accept McMahan's quote for services and the Motion carried unanimously.

Sgt. Bright Severance Agreement and Release Addendum. Mr. Vargo advised that an Addendum was prepared to Sgt. Bright's Severance Agreement to address worker's compensation settlement and reduced disability pension. The labor attorneys and the Upper Uwchlan Police Association have reviewed the Addendum and approve the execution of the document.

Mr. Kerr moved, seconded by Mr. Goncharoff, to approve and execute the Addendum as presented. The Motion carried unanimously.

Authorize advertisement of Ordinances.

Historic Preservation - Adaptive Reuse of Historic Resources. Mr. Vargo explained that the Historic Commission and Planning Commission have worked to draft an Historic Preservation – Adaptive Reuse ordinance that allows for by-right and Conditional Use adaptive reuse of historic

resources and structures in all districts in the Township, providing flexibility for the owners and developers.

Amend General Standards for Open Space Designation. Mr. Vargo explained that this draft amendment further restricts impervious coverage (such as parking, treated wastewater storage/disposal) as a permitted use within restricted open space; however it does allow for wastewater storage/disposal within certain conditions in common open space.

Mr. Donatelli and Mr. Goncharoff were curious of the number of historic resources in the Township. Mr. Vargo mentioned several – Shryock Paper Mill, Uppatinas School, Eagle Tavern – and advised the historic resource inventory had well over 100 properties listed.

Mr. Kerr moved, seconded by Mr. Goncharoff, to authorize the advertisement of the Adaptive Reuse of Historic Structures Ordinance and the Amendment to the General Standards for Open Space Designation Ordinance to be considered for adoption at the September Supervisors Meeting. Mr. Goncharoff asked if there are ways to limit future development in the Township. Messrs. Vargo, Donatelli and Kerr advised that the type of uses in each zoning districts address that; the Township can regulate or amend the uses allowed in each district; and the Comprehensive Plan, which is updated every 10 years, sets the tone for the future. Steve McNaughton and Brett Boden made comment regarding the Township being built out and new developments seem to be townhouses. The Motion carried unanimously.

Open Session

Mr. Goncharoff made comment regarding the Board authorizing the advertisement of ordinances. Mr. Donatelli explained that ordinances/amendments have to be advertised but it's not mandatory for the Board to authorize it or for the authorization to be an agenda item. Upper Uwchlan likes it to be an agenda item so the Supervisors know what they'll be considering for adoption at an upcoming meeting and it advises the residents before the advertisement, so they may provide their comments.

Cathy Tomlinson asked if the Board was considering an ordinance related to the use of drones. Mr. Donatelli and Chief DeMarco advised that a draft ordinance was prepared a year or so ago but the Supervisors did not feel it necessary to adopt at that time. The draft would be revisited should drone use become a problem.

Jeannine Lincoln and Heidi Carmain expressed concern over the Uppatinas property. Mr. Donatelli advised that a plan had been approved earlier this year that divided off 2 new single-family home building lots, and the existing home and school buildings are targeted for adaptive reuse, potentially a dozen condominiums.

Ms. Lincoln asked what to do regarding properties falling into disrepair. Mr. Donatelli advised that the property owner or their Lender is responsible for the maintenance of the property.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary