



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING  
June 20, 2011

Approved

Attending:

Board of Supervisors

Catherine A. Tomlinson, Chairperson  
Kevin C. Kerr, Vice-Chairperson  
Guy A. Donatelli, Member

Township Administration

Gwen A. Jonik, Township Secretary  
Karen Wertz, CPA – Township Treasurer  
John DeMarco, Police Chief  
Al Gaspari, Codes Administrator  
Mike Heckman, Public Works Director  
Mike Taggart, P.E., Gilmore & Associates

Mrs. Tomlinson called the meeting to order at 7:01 p.m., led the salute to the flag and offered a moment of silence in honor of Cheryl Neri, Assistant Township Treasurer, who passed away today.

Approval of Minutes

Mr. Donatelli moved, seconded by Mr. Kerr, to approve as presented the minutes of the May 10, 2011 Board of Supervisors Workshop. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mr. Kerr, to approve as presented the minutes of the May 16, 2011 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Donatelli moved, seconded by Mr. Kerr, to approve the payments to all vendors listed June 1-20, 2011. Mr. Donatelli abstained from Check #41685 as it is a client of his Firm. The Motion carried unanimously.

Treasurer's Report

Karen Wertz reported Pulte recently paid \$45,000 in outstanding invoices, and the Finance Department is drafting an analysis of delinquent engineering bills.

Supervisor's Report

Mrs. Tomlinson read the following Emergency Services Provider Report and the following calendar:

Ludwigs Corner Fire Company – 3 fire calls, 9 QRS calls; Lionville Fire Company – 4 fire calls; East Brandywine Fire Company – 0 calls; Glenmoore Fire Company – 0 calls; Uwchlan Ambulance Corps – 23 calls; TeenAid – 1 call.

June 22, 2011 (Wednesday) Yard Waste Collection; June 22, 2011 5:30-9:30 pm CERT Training Part 1 of 2; June 25, 2011 8:30-4:30 CERT Training Part 2 of 2; July 4, 2011 Office Closed – Independence Day; July 12, 2011 4:00 p.m. Board of Supervisors Workshop; July 18, 2011 7:00 p.m. Board of Supervisors Meeting; July 20, 2011 (Wednesday) Yard Waste Collection.

## Administrative Reports

### Township Engineer's Report

Mike Taggart, P.E. – Gilmore & Associates, reported the Township has received County approval for the synthetic turf field installation at Fellowship Fields.

### Building/Codes Department

Al Gaspari reported 42 building permits were issued in May, totaling \$8,802.00 in fees -- construction costs totaled \$685,691.00. The Department was busy with Block Party preparations over the past month, following up complaints regarding uncut lawns and issuing violation letters as applicable. If a homeowner does not take care of the violation within 72 hours, a Contractor or our Public Works Dept can be engaged to cut the lawn and a lien is placed against the property. Don Carlson made comment that temporary signs are out of control on the weekends.

### Police Chief's Report

Chief DeMarco reported 679 complaints were received in May and 11 criminal arrests were conducted. Officer Paradis has been with the Department over a year and Chief requests approval for his position to be full-time. Mr. Kerr moved, seconded by Mr. Donatelli, to approve the request. So moved.

### Public Works Department

Mike Heckman reported the Department's activities in May included inlet repair, roadside mowing, playground safety tasks, mulching Township properties, repair of pipe in East Township Line Road, attending Defensive Driving For Trucks class, and completing road base repairs. Mr. Kerr asked of the Public Works Depot roof repair. Mike reported measurements have been taken but the work has not commenced.

Mrs. Tomlinson made comment regarding removal of a rock along the shoulder of Moore Road. Mike advised the portion of rock below the surface would be too large to remove without explosives.

### Administration

Mike Heckman reported that PennDOT advised us we could not split our 2011 Road Milling and Paving Contracts, it needed to be awarded as one Contract. Highway Materials Inc. was the low bidder for the combined tasks. Mr. Donatelli moved, seconded by Mr. Kerr, to award the 2011 Road Milling and Paving Contract to Highway Materials for a total cost of \$362,646.10. The Motion carried unanimously.

Mike Heckman reported the 2011 Pavement Marking bids were opened June 14. We received only 2 bids. Alpha Space Control was the low bidder. Mr. Kerr moved, seconded by Mr. Donatelli, to award the 2011 Pavement Marking Contract to Alpha Space Control. The Motion carried unanimously.

Cary Vargo introduced a Resolution to designate the Voting Delegates to the Chester County Tax Collection Committee for the coming year. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt Resolution #06-20-11-08, designating Cary Vargo as Upper Uwchlan's Primary Voting Delegate, Kevin Kerr as First Alternate and Karen Wertz as Second Alternate. All parties were in agreement with those designations. The Motion carried unanimously. Mr. Vargo will also sit on the Tax Collection Committee's Executive Board.

Mr. Vargo introduced a final escrow release to Pulte Homes in the amount of \$102,755.40 for Eagle Hunt sanitary sewer facilities. This escrow was held until the completion of the gravity sewer system and demolition of a temporary pump station adjacent to the Eagle Hunt storage tank. Mr. Donatelli moved, seconded by Mr. Kerr, to approve the release of those monies to Pulte. The Motion carried unanimously.

Don Carlson commented a wet area is evident at the edge of the parking at Fellowship Fields. Mr. Gaspari advised there is an underground spring in that corner which should be directed into the swale.

Mr. Vargo asked the Supervisors to authorize the sale of two surplus Township vehicles, a 2004 Ford Crown Victoria and a 2005 Ford Explorer. Both have over 100,000 miles and have been replaced with newer models. Mr. Donatelli moved, seconded by Mr. Kerr, to advertise these two vehicles for sale. The Motion carried unanimously.

Mr. Donatelli introduced an item for discussion: the Agreement between the Township, Marsh Creek Eagles and Fred Gunther/Grand Sport Auto for installation of a synthetic turf field at Fellowship Fields. The Agreement includes sections regarding replacement of the field at the end of its useful life, and advertising or naming rights to the scoreboard. The Township's position on these two topics has been that user fees would be levied for that specific field and deposited in a specific account so that when the field's useful life was over (8-12 years), the Board at the time could determine whether or not to replace the field with another synthetic turf or return the field to grass, and that the naming rights would expire at the same time as the useful life of the initial turf field (8-12 years). The Supervisors are in agreement that future Boards shouldn't be burdened with replacing the initial field with another synthetic field if that isn't financially feasible or of interest to the Community at that time. Regarding the naming rights, Mr. Gunther proposed the expiration of the rights would run with the useful life of the sub-base, which is @ 30 years.

The Board discussed various scenarios and text to appropriately address those situations. The Board agreed unanimously the following language would be revised or included within the Agreement:

Revise existing Paragraph 13 in the Agreement:

"...nothing shall obligate the Township to replace the synthetic turf field with another synthetic turf field..."

Add to the Agreement (paragraph 14):

"...following the determination that the synthetic turf field's useful life (8-12 years) has expired, Grand Sport Auto has the right to extend its naming rights, on an annual basis, for an annual contribution of \$5,000.00...and the Township shall have the prerogative to accept that extension or a matched (or increased) contribution by another entity.

.....if Grand Sport Auto makes other monetary contributions to the Township, the Township shall have the prerogative to apply that contribution towards this annual contribution."

Add to the Agreement (paragraph 15): "...Grand Sport Auto may assign its naming rights as long as the alternate name is in compliance with the conditions in Paragraph 8 of this Agreement....."

The Agreement, in its entirety, shall expire in thirty (30) years.

Mr. Donatelli will affect the modifications to the Agreement post haste.

Mr. Donatelli moved, seconded by Mr. Kerr, to authorize the Township Manager to execute the Agreement consistent with the modifications agreed upon this evening and present to Mr. Gunther and Marsh Creek Eagles for signature. The Motion carried unanimously.

Open Session

Don Carlson commented that the Block Party was enjoyable and seems to be better attended each year.

Adjournment

There being no further business to be brought before the Board, Mrs. Tomlinson adjourned the meeting at 8:04 p.m.

Respectfully submitted,

Gwen A. Jonik,  
Township Secretary