



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING

July 16, 2018

7:00 p.m.

Approved

In Attendance:

Board of Supervisors

Jamie W. Goncharoff, Chair
Sandra M. D'Amico, Vice-Chair
Guy A. Donatelli, Member

Township Administration

Cary Vargo, Township
Shanna Lodge, Assistant Township Manager
Gwen A. Jonik, Township Secretary
Jill Bukata, Township Treasurer
John DeMarco, Police Chief
Mike Heckman, Director of Public Works
Dave Leh, P.E., Township Engineer

Mr. Goncharoff called the meeting to order at 7:01 p.m., led the Pledge of Allegiance, offered a moment of silence and asked if anyone planned to audio or video record the meeting. There were no responses.

Approval of Minutes

Mrs. D'Amico moved, seconded by Mr. Goncharoff, to approve as presented the minutes of the June 12, 2018 Board of Supervisors Workshop. The Motion carried unanimously.

Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve as presented the minutes of the June 18, 2018 Board of Supervisors Meeting. The Motion carried with 2 in favor and 1 abstention (Goncharoff).

Approval of Payment

Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve the payments to all vendors as listed July 12, 2018. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's financial position remains strong; year-to-date revenues are at 56.6% of the budget; expenses are at 41.2% of the budget; and earned income tax receipts are \$58,000 less than this time last year but at 53.4% of budget.

Mrs. Bukata requested authorization for the transfer of \$200,000 from the General Fund to the Capital Fund to pay off the debt at BB&T. The transfer was discussed and included in the 2018 Budget. Mrs. D'Amico moved, seconded by Mr. Donatelli, to authorize the transfer of funds. The Motion carried unanimously.

Supervisor's Report

Mr. Goncharoff announced the Board had met with Lauren Cortesi, a qualified candidate for the Zoning Hearing Board Alternate Member vacancy. Ms. Cortesi had met with Zoning Hearing Board Members and received their recommendation for appointment. Mrs. D'Amico moved, seconded by Mr. Donatelli, to appoint Lauren Cortesi as Alternate Member of the Zoning Hearing Board. The Motion carried unanimously. A term on the Zoning Hearing Board is 3 years. Mrs. Cortesi fills a mid-term vacancy with the term expiring December 31, 2019.

Jeff Kowalczyk of Barbacane Thornton was delayed. The presentation of the 2017 Audit Report will occur later this evening. The 2017 Audit Report is posted on the website.

Mr. Goncharoff announced that Executive Sessions were held June 28, 2018 regarding a personnel matter and July 10, 2018 regarding a legal matter. The following calendar was published: August 14, 2018 4:00 PM Board of Supervisors Workshop; August 20, 2018 7:00 PM Board of Supervisors Meeting; Yard Waste Collection dates: July 25, August 8, and August 22.

ADMINISTRATION REPORTS

Township Engineer's Report

Dave Leh reported that the Eagleview Lot 1B Maintenance Area Plan was revised and reviewed by consultants; in Byers Station Parcel 5C residential "Villages at Chester Springs", the paving and roadwork connections are done and several buildings are under construction; Marsh Lea roadbed is in place and curbing is being installed.

Mr. Donatelli inquired of the Byers Station Parcel 5C commercial lot's drive-through issue. Cary Vargo explained that there are residents who are not in agreement that the 1999 Byers Station Planned Residential Development approval (PRD) regulations overrule zoning for Parcel 5C and allow for a drive-through; our Solicitors advise us that a drive-through is allowed by that PRD approval due to the zoning codes in effect at that time; a parking study for the commercial lot is underway and there is the possibility that restrictions could be placed on the lot for the second phase of the commercial development, such as prohibiting fast food restaurants.

Building – Codes Department Report

Cary Vargo reported on Al Gaspari's behalf that 59 building permits were issued, totaling \$39,179 in permit fees. He noted the Building Department is very busy and handling their schedule well.

Police Chief's Report

Chief DeMarco reported there were 947 calls last month, including 14 reported crimes, 10 criminal arrests and 105 traffic warnings; 54 teenagers attended the 2018 Junior Police Academy, coordinate and supervised by Corporal Gathercole and Officer Stiteler; an Upper Uwchlan Township incident action plan has been developed with adjacent emergency response personnel for the Country Music Fest being held in West Vincent Township in August.

Mrs. D'Amico complimented the Police Department for the Junior Police Academy.

Resident Ray Legnini made comment that the Country Music Fest website doesn't mention parking or lack thereof. Chief advised that letters were sent to Upper Uwchlan residents who live within a radius developed to include roads within walking distance of the Music Fest venue, and those roads will be posted No Parking Zones, extra patrols will occur and residents should call 9-1-1 with any nuisances. Universal Technical Institute (UTI) is a parking area for the Music Fest goers who will then be bused to the venue.

Public Works Department Report

Mike Heckman reported 151 work orders were received and completed last month, and along with routine maintenance activities, the Department complete the following tasks: block party preparations and clean-up; storm water inlet repairs; roadside tree trimming in preparation of milling/paving; Brian Owens finished Road Scholar Training.

Resident Ed Benevides made comment regarding the need for better signage at the south intersection of Graphite Mine Road and Route 100. Cary Vargo noted the Township has made requests to PennDOT.

Resident Ray Legnini made comment regarding the length of time to travel in the morning from Ticonderoga Boulevard to Eagleview Boulevard. Mike Heckman noted the adaptive traffic light system reacts to major traffic on Route 100 and Graphite Mine Road, to move the volume of traffic along, and the side streets do not get equal time.

LAND DEVELOPMENT

Marsh Lea Escrow Release Request. Dave Leh advised that Moser Homes' request for an escrow release request had been reviewed and a \$149,806.80 release was recommended, for erosion/sedimentation controls, paving, curbing, etc. Mrs. D'Amico moved, seconded by Mr. Donatelli, to authorize the release of \$149,806.80 to Moser Homes. The Motion carried unanimously.

ADMINISTRATION

Hickory Park Playground Equipment Replacement and Resurfacing Project. Shanna Lodge explained that the 2018 Budget included the purchase and installation of new playground equipment at Hickory Park. The existing equipment has reached its useful life and several pieces are deteriorating. Playground designs were provided by several businesses and Kompan was selected by members of the Park & Rec Board. The equipment selected will engage different age groups and ability levels. Kompan offered discounted pricing which will allow for the purchase of additional equipment within the budgeted amount. If purchase of the equipment is approved today, installation could occur in October. The design, and materials provide a unique look. This product doesn't get as hot in the sun as metal or plastic; it's robinia wood, a heavy, dense wood that will hold up well. It comes with a 2-year service contract and a 10-year warranty on the wood / 5-year warranty on all other materials. There is money in the budget for replacing the subsurface and drainage system. A few of the existing pieces of equipment could be donated or sold. Mr. Donatelli moved, seconded by Mrs. D'Amico, to approve the purchase of Kompan playground equipment for Hickory Park in the amount of \$167,323.46, including equipment, surfacing and installation. The Motion carried unanimously.

Township Building Renovation/Expansion. Cary Vargo thanked the Staff and Police Department for completing a township building needs analysis in 2016, as office space had become constrained. Shanna Lodge advised that from the 2016 needs analysis, a May 2018 Request For Proposals for architectural services was drafted. Six proposals were received; a Committee reviewed the proposals, narrowing the field to 3. The 3 Firms were interviewed and referenced sites visited, and the Committee selected Hammel Associates. Hammel Associates is currently working on West Chester Borough and they have experience with Police barracks, which is critical with our Department's accreditation. Hammel's proposal at \$165,580.00 is within the Budget, includes architectural services and 400 hours of construction administration. Projected schedule: architectural design complete within 4 months, bid for construction, construction begins spring/summer 2019, under construction 9-12 months. Mrs. D'Amico moved, seconded by Mr. Donatelli, to engage Hammel Associates for architectural design services for the township administration/police building at \$165,580.00. The Motion carried unanimously.

Ordinance Amendment. Gwen Jonik advised that the Reserve at Waynebrook allows parking on 1 side of the street. The proposed ordinance would add Waynebrook Drive and Windsor Way to the "No Stopping, Standing or Parking" ordinance, to allow for enforcement of no parking on the other side of the roadways. Last month, the proposed ordinance included adding Senn Drive; however, following meetings with Senn Drive commercial entities, parking issues have been rectified and Senn Drive was removed from the proposed ordinance. Mr. Goncharoff asked if all Senn Drive businesses were being treated equally. Mike Heckman advised all are working together regarding truck parking and overflow for special events.

Mrs. D'Amico moved, seconded by Mr. Donatelli, to adopt Ordinance #2018-09 adding the Reserve at Waynebrook roads – Waynebrook Drive and Windsor Way -- to the Township's Codes -- Vehicle and Traffic Section 176-6. The Motion carried unanimously.

Electronic Auction Results – Township Property. Cary Vargo explained that the Public Works Department replaced a 2006 Ford F-350 and offered the vehicle for sale via Municibid, an electronic auction. The auction notice was published in the Daily Local News, as required. Following 769 views and 38 bids, the high bid for the 2006 Ford F-350 pick-up truck (VIN 1FTWF31546EC85382) with a western 8.6' straight plow was \$10,100. Mike Heckman advised that bid was higher than expected. Mrs. D'Amico moved, seconded by Mr. Donatelli, to accept the high bid of \$10,100 and proceed with the sale. The Motion carried unanimously.

Access to Youth Sports Scholarship Agreement - Marsh Creek Eagles. Jimmy Griffiths, Treasurer – Marsh Creek Eagles, was in attendance. Cary Vargo explained the Township Supervisors encourage youth participation in active recreation and recently approved the Access to Youth Sports Scholarship Program, offering a \$2,000 scholarship annually to each of the (3) primary sports organizations – GEYA, Marsh Creek Eagles and Downingtown Rugby – for distribution to families within their organization who might not be able to participate otherwise. Mrs. D'Amico moved, seconded by Mr. Donatelli, to execute the Agreement and approve the \$2,000 scholarship for the Marsh Creek Eagles Little Scholars – Pop Warner and Cheer Programs. Mr. Goncharoff asked what happens if the organization doesn't use the \$2,000? Mr. Vargo advised that the organization reports on an annual basis their success, or not, in distributing those funds and the Board of Supervisors can adjust the next year's funds if so desired. The Motion carried unanimously to execute the Agreement with Marsh Creek Eagles.

Amendment to Forbearance Agreement – Hankin Group Traffic Impact Fee. Cary Vargo explained that within the Eagleview Corporate Center in Upper Uwchlan Township there are a limited number of commercial parcels that remain for development. The Hankin Group's traffic impact fee is based on square footage (2001 Forbearance Agreement). Hankin and the Township have calculated estimated future fees if built out, to use to repair Pennsylvania Drive, which is in poor condition. Pennsylvania Drive is wider than needed. Hankin will excavate the middle of the road and install mountable-curb landscaped medians, as in the rest of Eagleview. The commercial Homeowners Association (HOA) will maintain the median in the future. The Township will repair and repave the roadway over the next several months. Mr. Goncharoff asked how the HOA maintenance responsibilities will be memorialized. Mr. Vargo advised it will be incorporated into land development approvals. The Hankin Group is pre-paying traffic impact fees for future land development projects. Mr. Donatelli moved, seconded by Mrs. D'Amico to execute the Amendment to the Forbearance Agreement with the Hankin Group. The Motion carried unanimously.

Open Session

Jeff Kowalczyk, Partner with Barbacane Thornton, was in attendance to present the 2017 Audit Report and advised it was the third year of the CAFR (Comprehensive Annual Financial Report), an expanded presentation of our financial activity. He congratulated Jill Bukata, Treasurer, and the staff for once again being awarded the "Excellence in Financial Reporting Award" by the Government Finance Officers Association. The Auditors' opinion of the 2017 financial statements is that they are fairly stated, by Government Auditing Standards, and no deficiencies were found. There is one recommendation under 'Opportunities for Improvement' and that relates to the timely filing of the liquid fuels report. Mrs. Bukata thanked Mr. Kowalczyk and his team for their assistance with the process.

Mr. Goncharoff asked if anyone was audio or video recording the meeting. Christina DiGiulio responded that she was recording.

Resident Brett Boden commented on PennDOT bidding the repair of Dorlan Mill Road and hoped the Struble Trail extension would occur at the same time. Mr. Vargo advised that is not the case, unfortunately.

Resident Karen Lauer made comment regarding an occasional odor near Milford Road and Little Conestoga Road and air quality. Mr. Vargo will investigate with Sunoco and advise if results are available to the public. Ms. Lauer was asked to provide her contact information for follow up.

Resident Christina DiGiulio made comment regarding air quality monitoring and information on sensors that could be placed on various Township-owned properties, monitored by the Township. Ms. DiGiulio inquired of emergency operation plans. Chief DeMarco advised every municipality is required to have an Emergency Operations Plan, updated regularly, for pipeline-related issues. Local fire fighters, police and County personnel are trained to respond safely and appropriately.

Resident Debra Benevides requested information regarding public water and sewer in relation to the Jankowski Tract.

Resident Christina DiGiulio asked if the Township could move toward live streaming meetings in the future, with someone at the meeting taking questions/comments during the live feed. Mr. Donatelli and Mr. Vargo replied the Township will investigate.

Karen Lauer made comment about residents reporting suspected leaks/odors. Mr. Goncharoff and Chief DeMarco replied that residents should call 9-1-1 to report concerns and the appropriate agency with trained personnel will investigate the situation.

The Township will increase posting correct and accurate pipeline-related information via the website, social media, the newsletter, and the "New Resident" letter.

Mr. Donatelli advised that as a Board of Supervisors, they have no authority advising the State or PUC to interrupt or stop pipeline construction activity. However, each registered voter can individually or collectively contact their State Representatives to ask them to push back against the pipeline companies. (Senator Dinniman, Senator Rafferty, Representative Corbin)

Adjournment

There being no further business to be brought before the Board, Mr. Goncharoff adjourned the meeting at 9:14 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary