



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
MEETING
April 19, 2021
Minutes
Approved

LOCATION: This was a virtual meeting, held via Zoom video/audio conferencing. The meeting's Public Notices instructed those interested in participating in the meeting to email or call the Township Manager for the link and password to join in the meeting.

Attending:

Board of Supervisors

Sandra M. D'Amico, Member
Jamie W. Goncharoff, Member
Jenn F. Baxter, Member

Kristin Camp, Esq., Township Solicitor

Township Administration

Tony Scheivert, Township Manager
Shanna Lodge, Assistant Township Manager
Jill Bukata, Township Treasurer
John DeMarco, Police Chief
Rhys Lloyd, Building Code Official
Anthony Campbell, Zoning Officer
Mike Heckman, Director of Public Works
Dave Leh, Township Engineer
Chris Williams, Township Traffic Engineer

Mrs. D'Amico called the meeting to order at 7:04 p.m., led the Pledge of Allegiance and offered a moment of silence. Joanne McNaughton requested a copy of a recording of the meeting. There were approximately twenty-eight members of the public in attendance.

Approval of Minutes

Mr. Goncharoff moved to approve the minutes of the March 9, 2021 Board Workshop. Mrs. Baxter seconded the motion, and the minutes were approved. Mr. Goncharoff moved to approve the March 15, 2021 Board Meeting minutes. Mrs. Baxter seconded the motion. The motion carried, and the minutes were approved.

Approval of Payments

Mr. Goncharoff moved, seconded by Mrs. Baxter, to pay all vendors as listed April 15, 2021. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported the balance sheet remains strong; year-to-date revenues are at 38.2% of the budget; year-to-date expenses are at 19.7% of the budget; earned income tax receipts through April 14 were \$1,143,446 which is \$125,000 higher than the end of April 2020.

Supervisor's Report

Mrs. D'Amico presented recognitions to volunteers Stephen Beckman, Bernie Carroll, and Brett Hand, volunteers with the Township who recently resigned from their respective posts.

Mrs. D'Amico announced that the Board is considering the application of Lisa Sheldon to serve on the Park and Recreation Board. Lisa has been an active attendee to the Park and Rec Board meetings for the last several months. The Board of Supervisors and Park and Recreation Board Chairperson Sushila Subramanian have met with Ms. Sheldon and believe she will be a great addition to the group. Mr. Goncharoff moved to appoint Ms. Sheldon to the Park and Recreation

Board. Mrs. Baxter seconded. The motion carried unanimously, and Ms. Sheldon was appointed.

John Edwards, President of the East Brandywine Fire Company (EBFC) attended the meeting to present plans for a station renovation. Mr. Edwards highlighted the company's present volunteer operations, building history and challenges, as well as the design and budget for a renovation. He shared floorplans and architectural renderings. The EBFC is requesting the financial support of Upper Uwchlan Township; Mr. Edwards specifically noted an unexpected replacement of a generator, which is expected to cost \$148,600. Members of the public interested in the Company's May 16th fundraising event at Stolen Sun brewery can find information on the EBFC website. Mrs. D'Amico inquired about the financing package that will fund the project. Mr. Edwards responded that it is a 20-year term loan at just over 3% interest. Mr. Goncharoff thanked EBFC and its volunteers. He inquired about the fire apparatus used by EBFC and the company's call volume. Mr. Edwards will follow up with Mr. Scheivert via email with volume data. Mrs. D'Amico thanked EBFC for partnering with the Township for the Easter Bunny Parade event.

Mrs. D'Amico read through the following calendar items: May 11, 2021 Board Workshop, May 17, 2021 Board Meeting, Township offices will be closed on Memorial Day, and yard waste pickups will take place on April 21 and 28, May 5 and 12. She reported that executive sessions of the Board regarding personnel were held April 13 and 19.

Open Session

Mrs. D'Amico called for a partial open session on the subject of Park Road. The following residents spoke about their concerns with speeding on Park Road: Jeff Polk, 3 Heron Hill Drive; Vince McVeigh, 437 Carpenters Cove Lane; Zach Shafer, 47 Heron Hill Drive; Fronay Crawford, 30 Heron Hill Drive; Kevin McGuigan, 7 Heron Hill Drive; Doug Vaughen, 5 Heron Hill Drive; Deb Collins, 202 Harbour Ridge; Ike Harper, 40 Heron Hill Drive; and Kristin Comunale, 2 Heron Hill Drive. Suggestions included: a crosswalk the Heron Hill/Park Road intersection, pedestrian activated crossing lights, additional signage, and increased police patrols. Traffic Engineer Chris Williams and Chief DeMarco spoke about data that supports the concerns of the residents and offered to explore traffic calming options to mitigate the issue.

Mr. Scheivert provided the following update to the Park Road attendees regarding the turnpike bridge replacement project: The Park Road bridge contractor plans to replace the bridge with the least disruptive road work possible, hopefully limiting road closures to night work. Single lane closures may still occur, but ideally, they will be limited to night hours. Ms. Subramanian of the Park and Recreation Board asked about electronic signage notifying residents and users of Hickory Park of the closure; Mr. Scheivert noted that the contractor is required to post such signs.

ADMINISTRATION REPORTS

Township Engineer's Report

Mr. Leh reported that the Marsh Lea subdivision is nearing completion and final paving will be in early May. Dedication is expected this construction season.

Building and Codes Department Report

Mr. Lloyd reported that March was a busy month with 86 permits issued, a 40% increase over the last three-year average. Year to date permit fees total \$171,032. The last building permits have been issued for Chester Springs Crossing and the Villages at Chester Springs; the second townhouse permit was approved for the Enclave at Chester Springs, and construction is at full swing at the Preserve at Marsh Creek.

Police Chief's Report

Chief DeMarco reported that last month's activities included: 216 traffic stops, 99 traffic citations issued, 165 traffic warnings issued, 16 reported crimes and 8 criminal arrests. Many of the reported crimes were cases of identity theft. The Chief urged residents who are victims of identity theft to report this immediately to the Police Department. The Junior Police Academy is full or nearly full. This summer the Department will be back in the community; watch the UUT Police Facebook page for water ice visits. Two part-time police officers have been brought on board and are in the field training program, working with a full-time officer daily.

Public Works Department Report

Mr. Heckman reported that the Department received and completed 277 work orders last month. Stormwater and wetland work on Davenport Drive was completed with permitting from DEP. Street sweeping is nearly complete and base repairs will begin soon to prepare for resurfacing.

Mr. Heckman reported results from the 2021 Road Materials bid opening. After labor and fuel adjustment, the low bidder for Bituminous Concrete (Warm Mix) was Glasgow, Inc. at a cost of \$35,475 if all material is purchased. Mr. Goncharoff moved, seconded by Mrs. Baxter to award the contract to Glasgow. The motion carried.

After labor and fuel adjustment, the Coarse Aggregate low bidder was also Glasgow, Inc. at a cost of \$6,750. Mr. Goncharoff moved, seconded by Mrs. Baxter to award the contract to Glasgow. The motion carried.

Mr. Goncharoff asked Mr. Heckman about requests for use of the street sweeper. Mr. Heckman noted that occasionally there are requests from people who blow leaves in the street; yard waste is not collected this way. Other occasions where sweeping is requested are usually when a neighborhood is not completed at the end of a workday. Mr. Heckman noted that street sweeping is something the residents appreciate, and the department does receive thank you calls for this work.

Land Development

Deweese Minor Subdivision Plan

Mr. Leh presented the minor subdivision of the property at 363 Byers Road. The plan divides an 11+ acre parcel into a 1+ acre lot containing an existing house (to be sold), and a 10+ acre parcel to be retained by the owner, Mr. Jim Deweese, for agricultural use with no plans to develop or improve. The plan has been reviewed and recommended by the Planning Commission and Township consultants. Ms. Camp noted that an attorney has been obtained by Mr. Deweese to address the outstanding easements – driveway and septic - and complete these items in time to be recorded with the Final Plan.

Mr. Goncharoff moved to grant final approval of the plan subject to the following conditions:

1. The Final Plan shall be revised to comply with Gilmore & Associates, Inc. review letter dated April 5, 2021.
2. Applicant shall prepare a driveway easement over Lot 2 for the benefit of Lot 1 for use of a shared driveway depicted on the Final Plan. Such easement shall be approved by the Township Solicitor and recorded contemporaneously with the Final Plan. Plan Note C shall be revised to require this easement agreement to be recorded with the Final Plan.
3. Applicant shall prepare an easement for the replacement septic field for the septic system on Lot 1 in the location depicted on Lot 2 on the Final Plan. Such easement agreement shall be approved by the Township Solicitor and recorded contemporaneously with the Final Plan. Plan Note D shall be revised to require this easement agreement to be recorded with the Final Plan.

4. Due to the limited scope of the subdivision proposed on the Final Plan, the Board grants waivers from the following sections of the Township's Subdivision and Land Development Ordinance: § 162-9.B(1)(h), §162-9.B(2)(d)[1], §162-9.B(2)(d)[2] and §162-9.B(2)(d)[3] to not require a site analysis, conservation plan or impact plan.

Mrs. Baxter seconded the motion. Comments: Mr. Dewees inquired whether both easements could be a single easement; Ms. Camp confirmed this is acceptable. The motion passed and the subdivision plan was approved.

Enclave at Chester Springs – Escrow Release #1 Sanitary Sewer Improvements

Mr. Leh presented escrow release #1 for sanitary sewer improvements at the Enclave at Chester Springs. It has been reviewed by ARRO Engineers, who recommend a release of \$119,330. Mrs. Baxter moved to approve the release. Mr. Goncharoff seconded, and the motion carried.

ADMINISTRATION

Environmental Advisory Council Ordinance – Consider Approval

Ms. Lodge presented a draft ordinance establishing an Environmental Advisory Council, which was duly advertised on April 6 in the Daily Local News. Mrs. Baxter moved to adopt the ordinance; Mr. Goncharoff seconded the motion. Mr. Goncharoff commented that this will be a great opportunity to improve the community and environment. The motion carried unanimously, and the ordinance was approved. A call for volunteers for the Council will be posted on the Township website, social platforms, and, if still relevant, in the fall newsletter.

Verizon Franchise Renewal Agreement Ordinance – Authorize Advertisement

Mr. Scheivert presented the Verizon Franchise renewal agreement. The Township worked with several other Chester County municipalities to hire Cohen Law Group as counsel in the negotiation. This agreement includes a 5% franchise fee and new consumer advocacy language. The agreement is for five years. Ms. Camp reported that Mr. Cohen negotiated the highest fee permitted federally, which is 5%.

Mr. Goncharoff advocated that the Township reduce the franchise fee from 5% to 3% to ease the burden of the franchise fee, which is ultimately passed along to the customer/resident. He suggested the Board similarly decrease the Comcast franchise fee to 3% when that contract comes up for renewal. Mrs. D'Amico asked what the average reduction felt by a resident would be with Mr. Goncharoff's suggested reduction. Mr. Goncharoff advised that those numbers have not been calculated, but that other municipalities charge a fee of 3%. Mr. Scheivert reported that the Township received \$110,280 from Verizon and \$103,126 from Comcast in franchise fee revenue. Mr. Scheivert noted that these fees received from both Verizon and Comcast have been declining due to decreased interest in traditional cable in favor of streaming options. A 3% reduction in the Verizon and Comcast fees would be a reduction of approximately \$85,000 in revenue. Ms. Camp suggested that residents could check their cable bill for a franchise fee line item. Mrs. D'Amico suggested that the Board authorize advertisement, and the final percentage be determined when additional data is available. Ms. Camp suggested that the ordinance could be advertised for consideration at the May 17th meeting, allowing for further discussion at the workshop. Mr. Scheivert noted that as this change would benefit Verizon, there is not concern that there would be additional, timely, negotiations. Mrs. D'Amico noted that her quick calculations showed a \$1.50 to \$2.50 per month savings to each customer. She suggested this may not be a worthwhile tradeoff compared to the \$85,000 in revenue that the Township could put toward larger efforts.

Mr. Goncharoff moved to approve the advertisement of the ordinance for consideration at the May 17th meeting. Mrs. Baxter seconded, and the motion carried.

Traffic Signal Maintenance Agreement Resolution

Mr. Scheivert presented a Resolution authorizing the Township Manager to sign documents associated with PennDOT's Traffic Signal Maintenance Agreement (TSMA) and future signal permits. Mr. Heckman added that this consolidates paperwork for the multiple traffic signals in the Township. Mr. Goncharoff moved to approve the Resolution. Mrs. Baxter seconded. The motion carried.

Upland Farms – Barn Renovation Bid Award

Mr. Scheivert reported bid results for the prime contractors for the Upland Farms Barn renovation project. He presented a cost analysis that included various combinations of alternates. The scenic porch and patio are Alternates #1 and 2; Interior insulation is Alternate #3; Unisex bathroom is Alternate #4; Kitchen, Closets, and Storage is Alternate #5, New metal roof is Alternate #6; and Lower-Level Office is Alternate #7. Regarding these alternates, Tony Ganguzza, of the construction management firm Boyle Construction, added that if the Board is going to consider the scenic porch, it would be a good idea to include the concrete patio as well. Mr. Goncharoff inquired about the downside to postponing the scenic porch. Mr. Ganguzza suggested that downsides might include the cost of materials, which could fluctuate, and that additional construction will inhibit access to that area of the barn and park. Mr. Heckman added that landscaping may need to be redone between phases if all exterior work is not completed in Phase 1. Mrs. Baxter asked if alternates not selected will be rebid in a future phase, which Mr. Ganguzza confirmed. The re-bid costs will not be significant, as an additional phase for the kitchen, etc. would be re-bid anyway. Mrs. Baxter asked if a new phase would require newly created contract documents, or if existing plans could be modified. Mr. Ganguzza advised that the plans could be modified to exclude completed work.

A discussion of the scenic porch and overall use of the facility followed. Mrs. D'Amico asked about the envisioned uses for the scenic porch. Mrs. Baxter suggested that the Park and Recreation Board could review planned or phased usage of the facility and suggested that construction could respond to those planned levels of usage. Ms. Subramanian, the Park and Recreation Board Chair, inquired about parking; Mr. Scheivert noted that is not in the plan for this first phase, but that Mr. Leh has sketched a rudimentary design for 21 additional spaces that could be included in a future phase. Ms. Subramanian noted that there is interest in use of the facility for rentals, but that this is not meant to fund the maintenance. She advocated that the facility could be used as a community space, with use by schools and local non-profit organizations. She further confirmed that a kitchen is not needed for an early phase. Mr. Goncharoff opined that the scenic porch would be useful even if the facility is not rented for parties, etc. Mr. Scheivert and Mr. Heckman suggested that the Township could pull the patio from the contract and have that done separately, which Mr. Ganguzza noted is feasible. Mr. Scheivert asked for insight from Cathy Tomlinson, who was a part of the UPFAC (Upland Farms Committee.) Mrs. Tomlinson advocated for action on this project because it has been so long in coming. Ms. Subramanian inquired about fundraising, but Mr. Scheivert suggested that the greater concern is not financial, but rather making a useful investment. Mr. Ganguzza advised that the benefit of adding the porch and patio now, if planned to be completed eventually, is the relatively low bid price. Mr. Campbell concurred, adding that the pricing is particularly good considering the commercial requirements.

Mr. Goncharoff moved to award Uhrig the General Contractor contract at the bid specified (\$966,000) in the agenda packet, plus alternates 1,2,3,4,6. Mrs. Baxter seconded. The motion carried.

Alternate 1. Scenic Porch: \$71,725
Alternate 2. Concrete Patio: \$19,000
Alternate 3. Interior Insulation: \$62,000
Alternate 4. Unisex Bathroom: \$22,855

~~Alternate 5. Kitchen, closet, storage, etc. \$218,195~~

Alternate 6. New metal roof: \$94,000

~~Alternate 7. Lower Level East Office: \$112,780~~

Mr. Goncharoff moved to award Electri-Tech the Electrical contract at the bid specified (\$190,700) in the agenda packet, plus alternates 1 and 4. Mrs. Baxter seconded. The motion carried.

Mr. Goncharoff moved to award West Chester Mechanical the Plumbing contract at the bid specified (\$172,300) in the agenda packet, plus alternate 4. Mrs. Baxter seconded. The motion carried.

Mr. Goncharoff moved to award West Chester Mechanical the Mechanical contract at the bid specified (\$48,950) in the agenda packet, plus alternate 4. Mrs. Baxter seconded. The motion carried.

Mr. Goncharoff moved to award Anchor Fire Protection the Fire Suppression contract at the bid specified (\$77,400) in the agenda packet, plus alternates 1 and 4. Mrs. Baxter seconded. The motion carried.

Upland Farms – Sewer Connection Bid Award

Mr. Scheivert reported results from the bid opening for the water and sewer connection at Upland Farms. He recommended that the water and sewer connection contracts be awarded to the low bidder, Fidelity Contracting in the amount of \$230,010. Mr. Goncharoff moved to award the contract, Mrs. Baxter seconded, and the motion carried.

Open Session

Joanne McNaughton, of Moore Road, expressed support for the residents of Park Road and suggested that the full length of Park Road should be at 25 miles per hour. Separately, she inquired about a site visit to 260 Sierra Drive. Mr. Scheivert advised that this visit did take place and apologized for failing to notify Mrs. McNaughton. Mrs. McNaughton requested an evaluation on her property. She inquired about her recent right to know request. Mrs. D'Amico advised that the Board has not had time to review that request, as it was received today, but that the Board would do so. Mrs. McNaughton requested a more thorough references to the Township Code than Mr. Campbell previously had provided.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the meeting at 9:43 p.m.

Respectfully submitted,

Shanna Lodge
Assistant Township Manager