



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
MEETING
May 17, 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, Chair
Jamie W. Goncharoff, Vice-Chair
Jenn F. Baxter, Member

Kristin Camp, Esq., Township Solicitor

Township Administration
Tony Scheivert, Township Manager
Shanna Lodge, Assistant Township Manager
Gwen Jonik, Township Secretary
Jill Bukata, Township Treasurer
John DeMarco, Police Chief
Rhys Lloyd, Building Code Official
Mike Heckman, Director of Public Works
Dave Leh, Township Engineer

Mrs. D'Amico called the meeting to order at 7:02 p.m., led the Pledge of Allegiance and offered a moment of silence. There were seven members of the public in attendance.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve as presented the minutes of the April 13, 2021, Joint Boards and Commissions Workshop. The motion carried unanimously.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve as presented the minutes of the April 19, 2021, Board of Supervisors Meeting. The motion carried unanimously.

Approval of Payments

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve the payments to all vendors listed May 14, 2021. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported the balance sheet remains strong; year-to-date revenues are at 44.8% of the budget; year-to-date expenses are at 26.1% of the budget; earned income taxes received through May 14 are \$139,000 higher than at the end of May 2020.

Mrs. Bukata requested authorization to transfer \$245,000 from the General Fund to the Water Resource Protection Fund, as planned for in the budget. Work on storm water basin retrofits is beginning and the funds will be reimbursed by the Grant. Mr. Goncharoff moved, seconded by Mrs. Baxter, to authorize the transfer of funds as described above. The motion carried unanimously.

Supervisor's Report

Mrs. D'Amico advised that Sally Winterton, Planning Commission Chair and Joe Stoyack, Vice-Chair, had met with 5 candidates for the 2 vacancies on the Planning Commission. They thanked the candidates for their interest in serving the community. Two of the candidates were recommended to meet with the Board, to discuss their interests and skills, and that was accomplished earlier this evening.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to appoint David Colajezzi to the Planning Commission. The motion carried unanimously.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to appoint Ravi Mayreddy to the Planning Commission. The motion carried unanimously. A term on the Planning Commission is 5 years.

Mrs. D'Amico read the following published calendar and yard waste collection dates: May 31, 2021 Office closed ~ Memorial Day ~ trash/recycling will not be collected May 31; June 8, 2021, 4:00 PM Board of Supervisors Workshop; June 21, 2021 7:00 PM Board of Supervisors Meeting; yard waste collection dates: May 19, 26, June 2, 9, 16.

Administration Reports

Township Engineer's Report

Dave Leh reported that Windsor Baptist Church's Final Land Development Plans are being signed and they are anxious to get started; all new construction projects are moving along; the Preserve at Marsh Creek Phase 1 infrastructure is installed.

Building and Codes Department Report

Rhys Lloyd reported the department continues to be busy and very productive in April, processing 88 building permits which totaled \$79,000+ in permit fees.

Police Chief's Report

Chief DeMarco reported that the department handled 1,128 incidents last month, including 152 traffic warnings; Marsh Creek State Park closure procedures changed last year and went well so they'll do the same this year; extra patrols on Park Road regarding speeding; Junior Police Academy is one day this year - June 24; a gun safety class will be held May 25 at 7:00 at the Police Station; the annual Homeowners Association summit will be held soon; have a safe Memorial Day.

Mr. Goncharoff questioned the enforcement on Park Road and asked if masks were required to attend the gun safety class. Chief DeMarco replied that he was following our insurance company's guidelines regarding masks.

Tony Scheivert provided an update on Park Road. McMahon Associates is in the middle of a speed study, working on sight distances at key locations, and conducting a sign inventory. Results will be reported in the near future.

Public Works Department Report

Mike Heckman reported the department completed 234 works orders last month. Along with routine maintenance, street sweeping was completed, summer help is coming on for mowing, road base repairs are being done in preparation for paving, a storm water pipe was replaced on Bryan Wynd, the 2021 road milling and paving bid goes out May 19, and the crew completed various safety classes and policy review testing through Power DMS, LTAP and DVIT programs.

Land Development

Enclave at Chester Springs (Byers Station Parcel 5C Lot 2A) Escrow Release #1. Dave Leh noted initial site construction tasks have been completed and Toll requests the release of \$400,581.80. Slightly less than \$1,000,000 will remain in escrow after this release. Gilmore & Associates reviewed the request and recommend the release. Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve the release of \$400,581.80. The motion carried unanimously.

Ewing Tract West Vincent Township Sanitary Sewer Escrow Release #2. ARRO has reviewed Toll's request for release of \$22,329.21 for construction of sanitary sewer facilities for the Ewing

Tract in West Vincent Township, which is part of the Route 100 Wastewater Treatment system. ARRO recommends the release. Mr. Goncharoff moved, seconded by Mrs. Baxter, to recommend to the West Vincent Township Supervisors that they approve the \$22,329.21 escrow release. The motion carried unanimously.

Townes at Chester Springs Site Improvements Escrow Release #3 / Final. Dave Leh advised that Gilmore & Associates reviewed the request, inspected the site, and recommended the final release of \$214,968.03. There is 1 streetlight on Park Road that PECO has to energize; that is the only outstanding item for Toll Brothers to complete. Mrs. Baxter and Mr. Goncharoff suggested retaining a small portion of the escrow until that is completed. Justin Hunt of Toll Brothers advised there is a walk through with the Homeowners Association (HOA) next Monday and the item should be completed by then.

Lea Seace, acting President of the HOA Board, advised the Board there were 3 items of concern: 3 streetlights within the development come on later than all the others; there are dead plants or plants missing in the landscaping; the storm water basin has debris and standing water. She requested the Township withhold some of the escrow until these items are addressed. Mr. Leh had not previously heard of any issues with the basin, and the landscaping had been addressed recently. Mr. Hunt hadn't heard of any issues with the basin and advised that the County Conservation District had issued a clean letter.

The Board did not favor releasing the full escrow requested. It was determined that township personnel would attend the walk through with the HOA on Monday and review the basins. It was determined that \$50,000 would be withheld from this release and if all items are addressed following Monday's walk through, the \$50,000 would be released by the Board at the June 8, 2021, Workshop.

Mrs. Baxter moved, seconded by Mr. Goncharoff, to approve the release of \$164,968.03. The motion carried unanimously.

ADMINISTRATION

Disposition of Township Property – Mowers. Gwen Jonik announced the bid results for the sale of 2 mowers placed on Municibid. Both mowers had been replaced per the scheduled number of hours or years in service. Mr. Goncharoff moved, seconded by Mrs. Baxter, to accept the high bids and approve the sale of a 2008 Exmark LazerZ 60" mower at \$2,900 and a 2013 Scag Cheetah 72" mower at \$3,300. The motion carried unanimously.

Park Facility and Field Use Policy. Shanna Lodge noted administrative revisions to the existing Policy adopted in 2017. This draft was circulated to the Board of Supervisors and the Park & Recreation Board (PRB) over the past few months and no further edits were offered. In response to Supervisors' questions, the revisions were administrative in nature – format and grammar corrections, clarifying the online reservation system, removed references to tournaments, terms for use in case of public health and safety concerns, and added pickleball and basketball to the facilities list; and certificates of insurance with the Township named as additional insured are provided by users each season.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve the revised Park Facility and Field Use Policy. The motion carried unanimously.

Ordinance adoption - Verizon Cable Franchise Agreement Renewal. Kristin Camp presented an Ordinance authorizing the renewal of the Township's Verizon Cable Franchise Agreement. The Ordinance was duly advertised; the Cohen Law Group was involved in the negotiations of the Agreement renewal, which include a 5-year term, a 5% franchise fee, customer service standards,

audit standards, etc. Per an FCC ruling, they will no longer provide basic cable services to the township buildings.

Mr. Goncharoff expressed concern with franchise fees being charged by cable providers and would prefer a reduced fee (3%) or no fee, as those fees get passed on to the users/residents. Discussion included: between Verizon and Comcast, total cable franchise fee revenue to the township is \$200,000 annually; depending on the cable (not internet) services residents subscribe to, some households would see a greater reduction than others in their monthly bill if the franchise fee was reduced; if we reduce or eliminate franchise fees, we'll need to find that revenue elsewhere in future years; the township will receive over \$1million from the American Rescue Plan funds, freeing up general fund monies; continue with prudent fiscal planning; revenue from these fees has declined over the past few years due to a variety of streaming options;;

Mrs. D'Amico moved to adopt Ordinance # 2021-02 authorizing execution of the Verizon Cable Franchise Agreement which calls for a 5% franchise fee. On a second by Mrs. Baxter, the motion carried with two in favor and one opposed (Goncharoff).

Open Session

Mr. Goncharoff asked the date of the next Hearing regarding the FedEx facility noise complaint. Mr. Scheivert advised it is this Thursday morning.

A resident commented on the regulations regarding barking dogs. Chief DeMarco advised residents should call the Police if dogs are barking for more than short periods of time. They'll investigate and proceed according to the situation.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the Meeting at 8:59 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary