

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
FEBRUARY 9, 2009

The meeting was called to order at 7:30 p.m. by Chairman Joseph E. Toner and the Pledge of Allegiance was recited.

Present: Supervisors: Joseph E. Toner, Frederick W. Gaines and Milton H. Bozarth; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Secretary Lynda Phiel; Township Treasurer Sue Bernhard; Fire Marshal Mike Holmes; Township Solicitor Guy Donatelli and Chief Pontarelli.

Minutes: Mr. Gaines made a motion to approve the minutes of January 12, 2009 and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

BUSINESS:

REPORTS:

Police: Chief Pontarelli reported that there were 223 traffic citations, 10 criminal arrests and 51 traffic accidents during the month of January.

Treasurer: Ms. Bernhard has submitted her report for the month of January. The following is a list of revenues and expenses:

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$482,147.49	\$504,593.61
Hydrant	101.39	-0-
Sewer	311,632.96	313,804.93

Ms. Bernhard reported that the Township has collected just under 6% of its budgeted revenues and spent a little over 6% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of January the Road Department collected and chipped Christmas trees; repaired mailboxes damaged during plowing; cleaned catch basins; repaired and replaced signs; performed equipment maintenance; salted roadways eleven times and plowed twice.

Mr. Toner asked if the number of Christmas trees picked up has decreased over the years? Mr. Hanley said "yes" although the past 2-3 years, the numbers seem to be the same.

Sanitation Department: Mr. Hanley reported that for the month of January:

Daily Average Flow	
Downingtown	1.42 million gpd

There was one new sewer connection at the Target store to DARA and no new connections at the Eagleview Plant during the month of January.

The Township has received 2.59 inches of precipitation during the month of January. Year-to-date, there is a .91 inch deficit.

Fire Marshal: Mr. Holmes reported that he answered 25 fire calls during the month of January, 13 of which were during work hours; spent 6 hours of work time handling Fire Department activity; assisted the Road Department with salting and plowing; conducted fire inspections of commercial buildings; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 59 alarms during the month of January, 26 of which were in Uwchlan Township. The Fire Co. also assisted Coatesville with their arson fires.

Uwchlan Ambulance Corps: Mr. Toolan reported the Ambulance Corps responded to 263 calls during the month of January, 77 of which were in Uwchlan Township.

The Board accepted the Reports as submitted.

Announcement of Road Materials Bids:

Bids were received as shown below. Low bidder is highlighted.

TAR POT/CREW	Hourly	SEALER-PolyFlexII or Equivalent	
AMS	\$300	\$.42/lb@Plant	\$.47/lb@Job Site
Axtell's	\$325		
E.J. Breneman	\$685		
U.S. Seal	\$340		

SWEEPER	Hourly	Standard	Prevailing
Reilly		\$ 96	\$110

MILLING	Hourly	Standard	Prevailing
Delaware Valley		\$306	\$324
Macanga		\$300	\$360

	PAVER		2 TRI-AXLE- Large Load		3 TRI-AXLE	
	Hourly Standard	Prevailing	Hourly Standard	Prevailing	Hourly Standard	Prevailing
Macanga	\$335	\$470			\$75	\$92.50
Trego	no bid		\$100			\$95

	ROLLER		EXCAVATOR		EXCAVATOR WITH BOOM	
	Hourly Standard	Prevailing	Standard	Hourly Prevailing	Standard	Hourly Prevailing
Macanga	\$90	\$95				
Trego			\$150		\$135	

OIL AND CHIP	Total
AMS	\$24,377.50
Martin Paving	\$27,700.50

STONE	3A	½"	#4	Anti-Skid	18-24"	24-36"
Hanson	\$9.12/\$12.45	\$13.00/\$16.30	\$10.60/\$13.90			
Independence	\$8.25/\$14.92	\$10.50/\$17.17	\$8.25/\$14.92	\$11.00/\$17.67		
Martin	\$5.75/\$11.74	\$8.25/\$14.34	\$7.50/\$13.34	\$9.00/\$15.24	\$11.35/\$21.34	\$11.35/\$21.34

Mr. Gaines made a motion to accept the highlighted low bids and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

The following two bids were received for the materials listed. However, after a discussion between Mr. Donatelli and PennDOT, Mr. Donatelli noted that based on additional information provided by the bidders, there is an issue with who is the lowest bidder. He recommended that the Township reject the two bids and rebid for 9.5 mm wearing, 19 mm binder, 25 mm base and 9.5 mm Fine.

	9.5mm Wearing	19mm Binder	25 mm Base	9.5mm Fine
Highway Materials	\$45.35/\$51.35	\$39.35/\$45.35	\$37.45/\$43.45	\$46.00/\$52.00
Independence	\$57.00/\$61.31	\$49.00/\$53.31	\$48.00/\$52.31	\$58.00/\$62.31

Mr. Bozarth made a motion to reject the bids from Highway Materials and Independence and advertise for rebid. Mr. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Resolutions:

1. No. 2009-09: Increases the Tax Collector's Compensation
2. No. 2009-10: Amends Fees for Subdivision & Land Development Applications
3. No. 2009-11: Amends Fees for Hearings before Board of Supervisors and Zoning Hearing Board

Mr. Gaines made a motion to adopt the above Resolutions and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

LTK: Walgreens/Taco Bell/KFC - Dowlin Forge Rd. & Eagleview Blvd.

1. Final Subdivision and Land Development Plan:

The final plan shows a 14,500 s.f. Walgreens Pharmacy and a Kentucky Fried Chicken/Taco Bell fast food restaurant to be located on the northwest corner of the intersection of Eagleview Blvd. and Dowlin Forge Rd. Conditional Use approvals were granted on 12/8/08.

The Applicant has received review letters from E.B. Walsh dated February 4, 2009; Gannett Fleming dated January 29, 2009; Stan Stubbe dated January 28, 2009; Uwchlan Police dated January 28, 2009 and Orth-Rodgers dated February 3, 2009 and had questions concerning the following items in the E.B. Walsh letter:

- A. Curb along Dowlin Forge Rd. - Mr. Townes has agreed to extend the curb along Dowlin Forge Rd. from Eagleview Blvd. To the entranceway.
- B. Parking spaces without landscape and landscaping along pipeline easement - Mr. Townes agreed that if the Township can find a type of tree that the pipeline approves, it will be planted. He also agreed to comply with the Greater Lionville Plan.

Applicant will comply with all other items except the re-design of the drive-thru outlined in the Orth Rodgers letter. The Planning Commission, Mr. Gacomis and Township staff agreed that the configuration shown on the plan is adequate. Additional bollards/curbing and signage will, however, be added to the drive-thru area as stated in the Planning Commission Minutes of February 4, 2009.

Mr. Gaines made a motion to approve the Final Subdivision and Land Development Plan contingent on compliance with the review letters listed above with the exception of the re-design of the drive-thru in the Orth-Rodgers review letter. The motion is also contingent on Applicant paying the required Traffic Impact Fee. Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

2. Resolution No. 2009-12:

Mr. Gaines made a motion to adopt Resolution No. 2009-12, which authorizes the Manager to release an executed copy of the Resolution to which a copy of the Minutes of the meeting of the Board of Supervisors at which a contingent approval of this Application as above described was granted so that improvement agreement and/or financial security agreement may be obtained by the Applicant, and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Vanguard: Time Extension Request to 3/12/09

The Township has received a letter from Attorney, Denise Yarnoff, granting an extension until March 12, 2009 to resolve issues with the Restrictive Covenants.

No motion was required. The Supervisors gave their "OK."

Park & Recreation Appointment: Nancy Toner - Term Expires 12/31/09

The Park & Recreation Board has recommended that Nancy Toner be appointed to the Park & Recreation Board to fill Harry Shreiner's unexpired term.

Mr. Gaines made a motion to approve Nancy Toner as a member of the Park & Recreation Board and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Annual Appointment of Fire Police:

Mr. Hanley announced that the following people wish to be appointed as Fire Police for 2009:

Barb Yagle	Joel Gramling
Linda Gramling	Pam Lobb
Richard Ruth	Charlie Lobb
Martin Sorenson	Penny Pierson
Denise Todd	Bruce Vessey

Mr. Gaines made a motion to appoint the people listed above as Fire Police for 2009 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Toner announced that following the conclusion of the meeting, the Board will have an Executive Session to discuss a PUC legal matter.

Mr. Toner noted that the Sanitation Department has an old 4 ft. x 4 ft. safe that they would like to dispose of, and suggested that the Township offer it to another municipality free of charge as long as they remove it or pay for its removal. The other Board members agreed that this was a good idea.

ANNOUNCEMENTS:

1. 02/12 - Historical Commission @ Cadwalader House - 7:30 p.m.
2. 02/23 - Board of Supervisors - 7:30 p.m. - Cancelled
3. 03/02 - Park & Recreation - 7:30 p.m.
4. 03/04 - Planning Commission - 7:30 p.m.
5. 03/09 - Board of Supervisors - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Gaines asked if the audit is completed. He was told "yes".

Mr. Kalemjian asked questions regarding the prevailing wage mentioned earlier during the discussion of the road materials bids. He felt that with the economy at such a low point, the State shouldn't pressure local municipalities to abide by prevailing wage.

There being no other business, Mr. Gaines made a motion to adjourn the meeting at 8:02 p.m. Mr. Bozarth seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary