

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
MARCH 8, 2010

The meeting was called to order at 7:32 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; Fire Marshal Mike Holmes; Township Treasurer Sue Bernhard; Township Solicitor Guy Donatelli and Police Chief Pontarelli.

BUSINESS:

REPORTS:

Chief Pontarelli reported that there were 95 traffic citations issued, 10 criminal arrests and 39 automobile accidents during the month of February.

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

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$862,056.20	\$564,479.80
Hydrant	-0-	7,974.00
State Liquid Fuel	2.30	99,666.99
Sewer	302,604.40	108,241.44

Ms. Bernhard reported that for the month of February the Township has collected approximately 15% of its budgeted revenues and spent about 14% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of February the Road Department mixed salt and anti-skid material; cleaned catch basins; repaired signs; salted/cindered roadways 6 times and plowed 4 times; widened intersections and roadways of snow; and performed snow equipment repair and maintenance.

Mr. Hanley noted that approximately \$160,000 has been spent on snow removal for the year. He is hopeful the Township will be receiving reimbursement from FEMA for a portion of these costs.

Sanitation Department: Mr. Hanley reported for the month of February:

Daily Average Flow	
Downingtown	1.67 million gpd

There were no new sewer connections at either plant.

The Township has received the equivalent of 5.12 inches of rain during the month of February. Year-to-date, there is a surplus of 1.6 inches.

Fire Marshal: Mr. Holmes reported that he answered 17 fire calls during the month of February, 9 of which were during work hours; spent 14 hours of work time handling Fire Department activity; assisted the Road Department with snow removal; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 48 alarms during the month of February, 29 of which were in Uwchlan Township.

He also reported that the Fire Company held their annual banquet recently and honored Bryan Rachko as Firefighter of the Year and Bill Minahan received a Special Service Award.

Uwchlan Ambulance Corps: Mr. Toolan reported that the Ambulance Corps responded to 232 calls during the month of February, 74 of which were in Uwchlan Township. He also thanked the staff for their participation in the recent municipal relationship meeting.

Mr. Gaines made a motion to accept the reports as submitted and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Equipment and Material Bid Results:

Several bidders submitted bids but later withdrew portions of their bids. The following is a list of those opened and received:

2010 MATERIALS BIDS:

COMPANY	WEARING PLANT/JOB	BINDER PLANT/JOB	BASE PLANT/JOB	FINE PLANT/JOB
HIGHWAY	\$47.55/52.80	\$41.25/46.50	\$39.55/44.80	\$48.05/53.30
GLASGOW	\$47.50/53.75	\$43.00/49.25	\$38.00/44.25	\$48.00/54.25
MEYERS	\$47.95/51.81	\$44.95/48.81	\$42.95/46.81	\$47.95/51.81

COMPANY	MILLING	PAVER	ROLLER-8T	ROLLER	TAC TRUCK	TRUCKS
DEPAUL*	\$475	\$760				\$90
DEVALLEY	\$320					
INCON	\$360	\$535	\$125	\$135	\$90 Does not meet specs	\$85
MALLOY*	\$325	\$570	\$80	\$85	\$275	\$80
MASANGA	\$325	\$500		\$98.30 for both rollers	\$209.02	\$95
SUCHER*	\$550	\$345				\$80

* DePaul and Malloy chose to withdraw their bids. **Sucher chose to withdraw their bid for the paver only.

PREVAILING WAGE

COMPANY	TAR POT	SWEEPER
AMS	\$300	
BRENNEN	\$604.25	
DEPAUL*	\$550	\$112
INCON	\$510	
MALLOY*		\$160
REILLY		\$115
SUCHER*	\$850	\$140

DePaul, Malloy and Sucher chose to withdraw their bids.

COMPANY	MILLING	PAVER	ROLLER-8T	ROLLER	TAC TRUCK	TRUCKS
DEPAUL*	\$435	\$700				\$78
DEVALLEY	\$295					
INCON	\$275	\$310	\$75	\$85	\$65 Does not meet specs	\$75
MALLOY*	\$295	\$390	\$55	\$60	\$250	\$70
MASANGA	\$325	\$375		\$90 for both rollers**	\$209.02	\$80

* DePaul and Malloy chose to withdraw their bids. ** Masanga chose to withdraw their bid for rollers.

STANDARD WAGE

COMPANY	TAR POT	SWEEPER
AMS	\$300	
BRENNEN	\$604.25	
DEPAUL*	\$500	\$108
INCON	\$325	
MALLOY*		\$145
REILLY		\$99

* DePaul and Malloy chose to withdraw their bids.

Those highlighted are the low bidders and reflect an 8-9% increase in cost over last year.

The Board members questioned whether it was OK for some of the bidders to withdraw once the bids were opened. Mr. Donatelli said that they can withdraw as long as it is done within a certain period of time.

Mr. Bozarth asked for clarification on the difference between prevailing rate and standard rate. Mr. Hanley stated that prevailing rate is used when work is done curb to curb, standard is used for patch work.

The money spent on snow removal could affect the amount of road work that will be done this year. The Township may need to scale back the scope of work.

Mr. Bozarth stated that he would like to see the Township move forward with the proposed road work regardless of the expense for the snow removal. He prefers the Township to be pro-active and not skimp since next year's prices may be higher.

Mr. Gaines made a motion to approve the low bidders as outlined above and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Resolution No. 2010-09: Transmitting the Tax Duplicate to the Tax Collector

Mr. Gaines made a motion to adopt Resolution No. 2010-09 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Lionville Shopping Center: Timothy's Restaurant - Preliminary/Final Land Development Plan (Resolution No. 2010-10)

John Anderson, Engineer, and Skip Brion, Attorney for the Applicant, presented the Land Development Plan for an 8,000 s.f. restaurant and small retail area at the southwest corner of Route 113 and Eagleview Blvd., the site where the Regal Cinema once stood. The restaurant will be similar to a steakhouse and have 257 parking spaces. There is one existing entrance to the pad site with another one planned. Existing stormwater management will be utilized.

The Applicant has received review letters from E.B. Walsh dated February 26, 2010; Orth-Rodgers dated March 8, 2010; Stubbe Consulting dated February 16, 2010; Fire Marshal dated February 25, 2010; Police Department dated February 25, 2010 and Tom Brown dated February 24, 2010; and stated that they will comply with all items.

Mr. Bozarth asked what type of retail is planned? Mr. Spaeder, the Developer of the site, said they are currently negotiating with E.B. Games, a company that sells video games.

Also discussed was the notation of a “speed table” in the Orth-Rodgers review letter. There will be no speed bump on this property.

Mr. Gaines made a motion to approve the plan contingent on compliance with all the items listed in the above listed review letters as well as the discussion during the Planning Commission meeting of March 3, 2010. Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Gaines made a motion to adopt Resolution No. 2010-10 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 are attached 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. Mr. Toner asked for public comment. There being none, the motion was carried.

Chester County Tax Collection Committee: Notifying Members that the RFP Included the Collection of Both the Earned Income and the Local Services Tax

Mr. Hanley explained that all municipalities within the County need to select the same collection agency for collection of the Earned Income Tax as well as the Local Services Tax and begin in year 2011 as opposed to 2012.

Mr. Gaines made a motion to agree to accelerate the time frame for beginning the collection of earned income tax and local services tax by a common entity and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Requests:

1. Boy Scout Troop #482: Easter Flower Sale April 1-4 at St. Paul’s Parking Lot

This is a yearly event that has been successfully run in the past.

Mr. Gaines made a motion to approve this event and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

2. Downingtown East High School: 5K Run to Benefit SPCA - 5/22, 8:30 a.m.

Chief Pontarelli will find out if animals are involved in the event but all else is in order.

Mr. Gaines made a motion to approve this event and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

3. Jesse Hamilton Strong Kids & Families: 5K Run in Eagleview - 6/5, 8-10 p.m.

Mr. Gaines made a motion to approve this event and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

4. Hankin 10th Annual Eagleview Concerts on the Square: 7 - 9 p.m. Every Tuesday, June 1 - August 31 with Fireworks on August 31

All is in order with these events. The Hankin Group will be paying for extra police coverage.

Mr. Gaines made a motion to approve these events and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

5. Spring Dance Tent Sales: April 16-19, May 21-31, July 9-12, Sept. 24-27 and Oct. 29-31

Mr. Sine requests sale dates on a yearly basis and there were no complaints from last year.

Mr. Gaines made a motion to approve these events and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

6. Windham Subdivision: To Hang an 80" x 100" Banner in Front of Windham Sign for 2 Weeks in June Congratulating the 2010 Downingtown East High School Graduates

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

Conditional Use Hearing Requests:

1. Calvary Chapel of Chester Springs - Dowlin Forge Rd.: Expansion
2. Society of Cable TV Engineers - 140 Phillips Road: Solar Panels on Roof

These Hearings were scheduled for March 29, 2010 at 7:00 p.m.

Mr. Bozarth questioned whether a Conditional Use hearing is a waste of time and money if the Applicant's testimony does not meet Township Ordinance requirements. Mr. Cooke explained that prior to the hearing process, as engineering opinions are received, a determination can be made as to the hearing's relevance.

Mr. Gaines commented that he would like to see a clear and crisp presentation.

ANNOUNCEMENTS:

1. 03/11 - Historical Commission @ Cadwalader House - 7:30 p.m.
2. 03/24 - Zoning Hearing Board - Rite Aid Signs & Timothy's Restaurant Signs - 7:30 p.m.
3. 04/05 - Park & Recreation - 7:30 p.m.
4. 04/06 - Tricentennial Meeting - 7:00 p.m.
5. 04/07 - Planning Commission - 7:30 p.m.
6. 04/12 - Board of Supervisors - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Toner announced that the Board will have an Executive Session immediately following the meeting to discuss a personnel issue.

Mr. Toner asked the status of the a complaint from John Gill of Woodview Dr. According to Mr. Gill, Downingtown East High School trash pick-up has been occurring before 6:00 a.m. The Police Department has spoken to school personnel who have changed the pick-up time to 6:30 a.m.

On another matter, Mr. Gaines commended the Township Road Department on a job well done with snow removal.

There being no other business, Mr. Gaines made a motion to adjourn the meeting at 8:17 p.m. Mr. Bozarth seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary

/jc