

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
JUNE 13, 2016

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 Inspector/Zoning Officer Tom Cooke; Assistant Zoning Officer Tara Caputo; Township Secretary Katie Churchill; Township Treasurer Susan Bernhard; Fire Marshal Mike Holmes; Officer-in-Charge Scott Alexander; Sergeant Tom Fortmann and Special Counsel Tom Oeste.

Mr. Toner announced that the Board met in an Executive Session on June 8, 2016 to discuss Police personnel matters.

Minutes: *Mr. Gaines made a motion to approve the minutes of May 9, 2016 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.*

REPORTS:

Police: Officer-in-Charge Alexander reported that there were 162 traffic citations issued, 13 criminal arrests and 39 traffic accidents during the month of May.

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

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$1,579,736.95	\$ 688,375.53
Hydrant	-0-	9,900.00
Sewer	416,675.08	120,512.31

To date, the Township has collected approximately 48% of its budgeted revenues and spent about 42% of its budgeted expenditures.

Public Works: Mr. Hanley reported that for the month of May the Public Works Department prepared roadways for paving in the Welsh Ayres development; made extensive catch basin repairs; re-graded a culvert on Taylor Rd. and Horseshoe Ln.; helped with construction of the log cabin on Township Office property; performed weekly meter checks and monthly grease trap checks; and performed general maintenance of vehicles.

He also reported that for the month of May the daily average flow to Downingtown was approximately 1.6 million gpd and there were no new sewer connections to DARA or the Eagleview Plant.

The Township has received 4.3 inches of rain for May with a year-to-date surplus of ¼ inch.

Fire Marshal: Mr. Holmes reported that for the month of May he responded to 6 fire calls during working hours; spent 5 hours of work time handling Fire Department activity; conducted 31 fire inspections; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 42 alarms during the month of May, 24 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Baxter reported that the Ambulance Corps responded to 291 calls during the month of May, 104 of which were in Uwchlan Township.

Mr. Toner noted that the recent Explorers Program conducted by the Ambulance Corps appeared to be a big success.

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

BUSINESS:

Permission to Receive Bids:

1. Trash/Recycling: The current contract with JP Mascaro concludes in December 2016. Mr. Oeste is preparing bid specs for receipt of bids in August.

Mr. Bozarth asked that the specifications provide for better quality control, improving the leverage the Township has, if needed. Mr. Oeste said there would be more stringent consequences.

2. Bridge Reconstruction: Dowlin Forge Rd.

The bridge located near the Shamona Main Park on Dowlin Forge Rd. needs extensive work, which will take approximately 4 months and require closure of road. Bids will be received in August.

Verizon Franchise Agreement: 5-year Extension

Mr. Hanley requested that the Verizon franchise agreement be extended for another 5 years at which time it will then auto renew as long as there are no problems.

The Board members gave their "OK".

Sunoco: Approval of Easement Agreement

There are two pipelines that run in front of the Municipal Authority's treatment plant facility, requiring that an easement be granted to allow for easy access.

Mr. Gaines made a motion to approve and authorize the conveyance by the Uwchlan Township Municipal Authority of a permanent easement across its property identified as Tax Parcel No. 33-4-

12.3E to Sunoco Pipeline L.P. conditioned upon the Township Solicitor's approval of the final easement agreement. Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

Retirement Agreement: Donald D'Ginto

A retirement agreement has been drawn up and signed by Officer D'Ginto, and will go in to effect on June 30, 2016.

Mr. Gaines made a motion to move forward with the Agreement as discussed. Mr. Bozarth seconded, adding that Township staff convey their gratitude for his service. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

Request – Jessie's 5K Run: Saturday, September 24th

This event was previously approved for an earlier date. Date has now been changed to September 24, 2016.

Mr. Gaines made a motion to allow for the date change for Jessie's 5K Run and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

Ordinance No. 2016-02: Noise

Mr. Oeste has prepared the new Noise Ordinance, which prohibits construction activity on Sunday except for those done by the homeowner or if there is a need for an emergency repair, and clarifies certain types of exemptions to the Noise Ordinance.

Mr. Gaines made a motion to modify the existing Noise Ordinance, adopting Ordinance No. 2016-02 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

Request: Conditional Use Hearing

1. Tru Hotel/Hampton:

Proposed 98-room hotel to be built where the vacant Hoss' restaurant sits. Hearing is scheduled for July 11th.

2. Hankin: 405 Eagleview Blvd. - Cell Tower

There is a Zoning Hearing scheduled for June 22, 2016 for this proposed cell tower. If granted, then a Conditional Use Hearing is necessary. Hearing is scheduled for July

11th.

Hankin – Eagleview Crossing: Springhill Suites – Conditional Use Decision

The Decision & Order has been drafted that would allow a Springhill Suites Hotel to be located on Tax Parcel No. 33-1-38.2 in Eagleview Crossing adjacent to the existing Hilton Garden Inn. Hearing is required for a building height in excess of three stories, the approved use, building greater than 40,000 s.f. and parking space count over 200. The Conditions are listed below but are not limited to:

1. Architectural elevations for the Hotel shall be compatible with the Hilton Garden Inn architecture and shall be reviewed and approved by the Board during Land Development review.
2. The Hotel shall be a suites hotel as described by the Applicant and shall have a maximum of 127 guest suites.
3. No full service kitchen facilities shall be constructed or used in the Hotel and no “from scratch” food preparation shall be conducted on the Hotel premises. Food service shall be restricted to hotel guests only and shall be limited to self-service of items such as coffee, tea, juices, sodas, muffins, bagels, items that require minimal preparation; and pre-cooked and packaged items prepared off-site that require heating.
4. The maximum height of the Hotel building shall be 55 feet; maximum impervious coverage shall be 59.4%; the maximum building coverage shall be 36%; and the maximum impervious coverage shall be 66%. Detailed plans demonstrating compliance with the foregoing limitations shall be submitted with the Preliminary Land Development plan for Township review and approval.
5. Building shall be fully sprinkled and include fire department standpipes in compliance with the Township building and fire codes.
6. Development of the project shall comply with the comments in all Township reviews.
7. Pedestrian sidewalks and paths shall be designed and constructed to facilitate pedestrian movement between the Hilton Garden Inn and the Springhill Suites Hotel.
8. A minimum of 158 additional parking spaces shall be provided on the property. The total parking space count for both the Hilton Garden Inn and Summerfield Suites Hotel shall be 506 spaces including 11 handicapped spaces.
9. Applicant shall contribute to the Township a fee in lieu of completing a Fiscal Impact Study in accordance with Zoning Ordinance Section 806.4.f. The amount and timing of payment shall be determined by the Township.
10. No outside dining on the Property is approved as a part of this Decision.

11. Applicant shall provide for a right-of-way over the Property to allow for the connection of Haywood Park to the Eagleview sewer system and waste water treatment plant.
12. Any improvements required to maintain a level of service “D” or better as defined in the latest edition of the Manual of the Institute of Transportation Engineers at the driveways and intersections accessing the Property shall all be completed before occupancy of the Hotel on the Property. If it is determined by PennDOT and/or the Township that traffic signals are required at any of the intersections accessing the Property, it shall be Applicant’s responsibility at its sole cost and expense to design, permit, construct and install the signals and all related improvements as directed and approved by PennDOT and/or the Township.

Mr. Gaines made a motion to accept the Conditional Decision and Order for Springhill Suites as outlined above. Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

Linskens – 495 Taylor Rd.: Final Land Development Plan Approval
(Resolution No. 2016-09)

Mr. Linskens presented the Final Land Development Plan which shows a 3-lot subdivision on the north side of Taylor Rd. adjacent to the Arbordayle development. A single family dwelling, detached garage and barn exist on the 2.53 acre parcel. Access to Taylor Rd. is on an existing common driveway and all lots will be serviced by public sewer and water. Maintenance of the common drive will be shared equally by the lot owners who have legal access.

Applicant has satisfactorily addressed all items in the E.B. Walsh review letter of April 29, 2016 and Tom Brown’s letter of September 14, 2015, last revised June 3, 2016.

Mr. Toner noted that there could be difficulty in the future with regards to enforcement of equally shared maintenance of the driveway. In the beginning, things run smoothly until properties exchange hands and the responsibility is not conveyed to the new owner.

Mr. Gaines made a motion to approve the Final Land Development Plan for this 3-lot subdivision on Taylor Rd., and adopt Resolution No. 2016-09, which memorializes same. Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried unanimously.

ANNOUNCEMENTS:

1. 06/22 - Zoning Hearing Board – Hankin Cell Tower – Variance Requests
2. 07/06- Planning Commission – 7:30 pm.
3. 07/11 - Board of Supervisors – 7:30 pm.
4. 07/14 - Historical Commission – 7:30 pm. - Cadwalader House
5. 07/15 - UTIDA – 8:30 am.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

1. Pat Gaines, Historical Commission Chairperson, presented an American Flag to Doug Hanley, explaining that it was given to the Commission by a widow of a Veteran who once lived in the Township. She has paperwork on the flag, as well as a written life story of the Veteran.
2. Heather Stefero, Owner of 502 W. Uwchlan Ave., asked why she has not received a call back regarding issues with her sewer/trash account. She would like to resolve a lien issue. She was told that once billing issues go to lien, she needs to contact our Solicitor, Lamb McErlane. Ms. Stefero also would like the minutes from April to be corrected as to the amount due on the lien. The minutes incorrectly show \$35,000 due. The amount should be \$3500.

Township staff will contact Lamb McErlane to check on a reply to her inquiry and make the necessary change to the minutes.

There being no other business, Mr. Gaines made a motion to adjourn the meeting at 8:04 p.m. Mr. Bozarth seconded and the motion was carried unanimously.

Respectfully submitted,

Katie Churchill
Township Secretary

/jc