

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
JANUARY 16, 2018

The meeting was called to order at 7:30 p.m. by Chairman Bill Miller, and the Pledge of Allegiance was recited.

Mr. Miller announced that the Board met during an Executive Session prior to the meeting to discuss possible litigation against Sunoco.

Present: Supervisors Bill Miller and Mayme Baumann; Township Manager Doug Hanley; Building Inspector/Zoning Officer Tom Cooke; Assistant Zoning Officer Tara Giordano; Township Secretary Katie Churchill; Township Treasurer Susan Bernhard; Fire Marshal Mike Holmes; Chief of Police Scott Alexander; Township Engineer Dan Daley and Township Solicitor Mark Freed.

Minutes:

Mrs. Baumann made a motion stating that the Minutes of December 11, 2017 have been read but not approved by the current Board, and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Mrs. Baumann made a motion to approve the Minutes of January 2, 2018 and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

REPORTS:

Police: Chief Alexander reported that there were 86 traffic citations issued, 12 criminal arrests and 57 traffic accidents during the month of December. Year-to-date, there have been 2,536 traffic citations issued, 233 criminal arrests and 410 traffic accidents. The number of arrests is higher than last year.

Mr. Miller noted that the previous Board asked the Chief the number of times Narcan has been administered each month. He would like to continue with periodic updates of Narcan usage. Chief Alexander reported that Narcan was not needed during the month of December and explained that there is a new law that will allow a Department to leave Narcan at a property where there are known "issues". Uwchlan has not implemented this practice, yet.

Treasurer: Ms. Bernhard reported that she has no final numbers for year-end but stated that she expects there to be a surplus. She requested that any excess money be transferred over to 2018.

Mrs. Baumann made a motion allowing the transfer to 2018 of any excess funds and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Public Works: Mr. Hanley reported that for the month of December the Public Works Department applied blacktop to Tremont Dr., Nicholson Dr. and Dover Court Place; cleaned out the culvert on Peck Rd. near the French property; hauled fill to Cedar Hollow Recycling; removed fencing and posts from

behind the sound wall along Rt. 100; performed weekly meter checks and monthly grease trap checks; and performed general maintenance of vehicles.

He also reported that for the month of December the daily average flow to Downingtown was approximately 1.37 million gpd and there were no new sewer connections to DARA or the Eagleview Plant.

The Township has received 2 inches of rain during December with a year-to-date surplus of over 5 inches.

Fire Marshal: Mr. Holmes reported that he responded to 14 fire calls during regular work hours; spent 17 hours of work time handling Fire Department activity; performed 1 fire inspection; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 58 alarms during the month of December, 34 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Baxter reported that the Ambulance Corps responded to 302 calls during the month of December, 87 of which were in Uwchlan Township. Year-to-date, the Ambulance Corps has answered 3,386 calls with 1,009 in Uwchlan Township.

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

BUSINESS:

Resignations:

1. Board of Supervisors – Milton Bozarth
2. Board of Auditors – Richard Bezgin
3. Planning Commission – John Marbach

Mrs. Baumann noted that Mr. Bozarth was very helpful in the transition of the Supervisors and thanked him for his years of service.

Mrs. Baumann made a motion to accept the resignations and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Appointments:

1. Planning Commission – Dennis Martin
2. Park & Recreation – Danielle Otten

Mrs. Baumann made a motion to appoint Dennis Martin as a voting member on the Planning Commission and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Mrs. Baumann made a motion to appoint Danielle Otten as a voting member to the Park & Recreation Board and Joanne Samples as an ex-officio member of the Park & Recreation Board. Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Prior to the meeting, the Board members interviewed Beth Butch for a position on the Board of Auditors and offered the following motion:

Mrs. Baumann made a motion to appoint Elizabeth Butch to the Board of Auditors and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Permission to Advertise for Road Materials:

Based on the Road Maintenance Program, the Township will be advertising for bid in February for road materials for the 2018 season. Improvements are planned for portions of Weavers Pond as well as Rennard Dr., Howell Rd. and Jennifer Dr. The budgeted amount is approximately \$410,000.

The Board members gave their "OK".

Agreement of Deputy Tax Collector:

By State Law, the Tax Collector may appoint another person to do the job if the Tax Collector is unavailable. Since the newly-elected Tax Collector, Bobbie Arcuri, has a strong relationship with the Township Treasurer, she has elected, by formal agreement, that Sue Bernhard shall be the Deputy Tax Collector.

Mrs. Baumann made a motion to approve the Agreement, as outlined, and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Hankin – Request: Meridian Building

Mike Malloy, General Counsel for the Hankin Group, requested that the 55+ requirement for the 162 unit Meridian building be modified to allow one person to be younger than 55, which is acceptable under the Fair Housing 80%-20% rule. The 55+ requirement is currently a Condition of the Conditional Use Decision from 2013.

Becky Reeves and Cheri Bushnel, Agents for the Meridian building, noted that they have had to turn away prospects due to one of them being under 55 years of age. Some of the residents have been polled and none were opposed to the change, although they did state that they did not want very young people moving in.

Mr. Freed asked if the change would allow a parent and a child to move in to the complex? Mr. Malloy stated that was not their intention.

The Board members did not make a motion but decided to take the request under advisement.

Hankin – 640 Rice Blvd.: Preliminary/Final Land Development Submission

This submission shows the conversion of an existing building located at 640 Rice Blvd. into a 13,500 s.f. Day Care and 11, 680 s.f. office space.

This will be sent out for review.

Freddy's – 221 Eagleview Blvd.: Preliminary/Final Land Development Submission

This submission shows a Freddy's Frozen Custard fast food restaurant to be located at 221 Eagleview Blvd., Lots 10 & 11, the current site of the Taco Maya restaurant and the former site of the Swiss Farms store adjacent to Chick-fil-A.

This will be sent out for review.

YMCA – Request: Chester County Girls on the Run & Stride 5K – June 2nd, 9 a.m. - Eagleview

Chief Alexander has received communication regarding this event and has no issues as long as the Event Coordinator arranges traffic control with the Fire Police or other agency.

Mrs. Baumann made a motion to approve the Girls on the Run event as described contingent on the organizers arranging traffic control and Mr. Miller seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Declaration of Snow Emergencies:

At times, snow storms may exceed the norm – requiring cars to be moved off the roadways as well as the Public Works Department needing to call in extra equipment. This is when the Township would declare a Snow Emergency. Many times the call is made in the early morning hours. For this reason, Township staff asked for the Board's blessing to proceed, if necessary.

The Board members gave their "OK".

Residents are notified of the Emergency by the County and it is announced on the Township's website.

Resolutions:

1. No. 2018-01: Appointing Chief Administrative Officers for Pension Funds
2. No. 2018-02: Mileage Reimbursement
3. No. 2018-03: Appointing Emergency Services
All of the above Resolutions are Yearly Resolutions
4. No. 2018-04: Wireless Infrastructure Deployment Bill
This Resolution expresses opposition to HB 1620 because it is not in the best interests of Pennsylvania.

5. No. 2018-05: Township Emergency Operations Plan
The Township Emergency Operations Plan currently exists as a Resolution. However, once 2/3 of the Board is replaced, the plan is required to be re-approved.

Mrs. Baumann made a motion to adopt Resolution Nos. 2018-01 thru 2018-05, as discussed. Mr. Miller seconded the motion. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Sunoco: Detours and Generators

Dan Daley from E.B. Walsh stated that in August Sunoco proposed a detour of Devon Dr. for up to 2 weeks to allow the workers to spread the material/piping across the roadway. The detour would be in affect 24 hours a day with no adverse affects felt by Emergency Services or the School District. If the detour is not approved, Sunoco was considering building a bridge over the area but has since tabled that scenario. Instead, the material would lay along the side of the road and Sunoco would have intermittent closures of the roadway.

Currently, all work has been shut down by DEP so this request is “on hold”. It could be months until this request is re-visited.

The following residents had questions related to time frame of work, safety, affect on emergency response and the benefits of the road closure:

1. Mike Taylor, 462 Creekside Dr.
2. Pat Devlin, 401 Concord Ave.
3. Tim Grant, 331 Horseshoe Lane
4. Carrie Gross, 207 Crump Rd.
5. Rich Wanner, 129 Lori Circle
6. Heather Dunghe, 613 N. Ship Rd.
7. Rodney Simon, 184 Kent Dr.

Mr. Daley further explained that there would be no night work and if the 24 hr/day detour is not in effect, the process of drilling and laying the pipe will take longer. For this reason, the detour would save Sunoco money. As far as safety, Mr. Daley stated that he does not have that information since he does not work for Sunoco.

Sunoco has also requested permission to use generators at all drill sites in the evening hours. This is to ensure the equipment does not freeze. Currently, the use of such generators is against the Township’s Noise Ordinance.

Mr. Freed, Township Solicitor, stated that there is no timetable yet as to when Sunoco will be allowed to resume work, but the Township is currently looking at potential legal action against Sunoco.

Danielle Otten, 400 Devon Dr., thanked Dan for all his help in updating the residents on Sunoco’s process but asked when will Sunoco come to a meeting and answer their questions? Mr. Daley

answered that he is happy to bring this up to Sunoco but it is up to Sunoco's staff whether they attend a meeting or not.

Mr. Jamnicky, 201 Scott Dr., stated that he feels that the implementation of the detour would be less confusing. He also asked why DEP shut down work on the pipeline. Mr. Freed explained that Sunoco performed unapproved drilling in other parts of the State.

ANNOUNCEMENTS:

1. 1/19 – UTIDA – Reorganization and Meeting – 8:30 a.m.
2. 2/07 – Planning Commission – 7:30 p.m.
3. 2/08 – Historical Commission – 7:30 p.m. - Cadwalader House
4. 2/12 – Board of Supervisors – 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

1. John Ganski, 116 Lakeview Dr. - Asked if the newly appointed Solicitor's fees are more than the previous firm's fees? He was told hourly rate is less.
2. Mike Taylor, 462 Creekside Dr., asked if any other firms were interviewed? Why did the Township hire a firm from Bucks County when there are qualified firms in Chester County?

Mr. Freed stated that his firm has a Chester County office, he is a 19 year resident of Chester Co., a former Supervisor of Tredyffrin Township and his firm represents the DARA (Downingtown Area Regional Authority). Other firms were interviewed. Rates, capabilities and expertise were all considered.

3. Mark Toolan, 120 Lakeview Dr., asked if the Township has any leverage moving forward in getting Sunoco personnel here to answer questions? Mr. Miller stated that the Township currently has no leverage. Other Townships have asked Sunoco to attend meetings but since the residents are mostly hostile, they do not want to come.

There being no other business, Mrs. Baumann made a motion to adjourn at 8:50 p.m. Mr. Miller seconded and the motion was carried unanimously.

Respectfully submitted,

Katie Churchill
Township Secretary

/jc

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF SPECIAL MEETING
JANUARY 16, 2018

The meeting was called to order at 7:00 p.m by Chairman Bill Miller and the Pledge of Allegiance was recited.

Present: Supervisors Bill Miller and Mayme Baumann; Township Manager Doug Hanley; Township Treasurer Susan Bernhard; and Township Solicitor Mark Freed.

BUSINESS:

The Board members and Mr. Freed interviewed Elizabeth Butch, 800 Graystone Lane, for an open position as an Auditor on the Township's Board of Auditors.

There being no other business, Mrs. Baumann made a motion to adjourn the meeting at 7:10 p.m. and Mr. Miller seconded. The motion was carried unanimously.

Respectfully submitted,

Doug Hanley
Township Manager

/jc