

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING
MAY 14, 2018

The meeting was called to order at 7:31 p.m. by Chairman Bill Miller, and the Pledge of Allegiance was recited.

Mr. Miller announced that the Board met for an Executive Session prior to the meeting to discuss a personnel issue.

Present: Supervisors: Bill Miller, Mayme Bauman and Kim Doan; Township Manager Doug Hanley; Assistant Manager Scott Greenly; 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 Solicitor Mark Freed and Township Engineer Dan Daley.

Minutes: *Dr. Doan made a motion to approve the Minutes of April 9, 2018 and Mrs. Baumann seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.*

REPORTS:

Police: Chief Alexander reported that there were 229 traffic citations issued, 15 criminal arrests and 31 traffic accidents during the month of April. Motor Carrier details conducted resulted in 6 trucks and 3 drivers taken out of service. Also, a speed study was done on the 200 block of Concord Ave. The data collected will be used in determining a course of action.

He also reported that the Department used Narcan once during the month.

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

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$542,512.68	\$658,786.19
Hydrant	34,637.29	9,900.00
State Liquid Fuel	474.83	97,262.01
Sewer	737,258.01	252,123.45

To date, the Township has collected approximately 30% of its budgeted revenues and spent about 33% of its budgeted expenditures.

Public Works: Mr. Hanley reported that for the month of April the Public Works Department completed street sweeping; repaired catch basins and storm pipes; replaced or repaired various street signs; performed weekly meter checks and monthly grease trap checks; and performed general maintenance of vehicles. The Department also flushed sanitary sewer lines, which caused an issue with some of the residents who do not have traps in their bathrooms.

He also reported that for the month of April the daily average flow to Downingtown was approximately 1.7 million gpd and there were no new sewer connections to DARA or the Eagleview Plant.

The Township has received 3.8 inches of rain during April with a year-to-date surplus of 3.8 inches.

Fire Marshal: Mr. Holmes reported that during the month of April he responded to 13 fire calls during regular work hours; spent 19 hours of work time handling Fire Department activity; responded to 2 burning complaints;

performed 7 fire inspections and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 53 alarms during the month of April, 33 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Baxter reported that the Ambulance Corps responded to 322 calls during the month of April, 100 of which were in Uwchlan Township.

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

BUSINESS:

Ryan Whitmore – 377 Brookwood Dr.: Waiver Request

Mr. Whitmore requested a waiver from Section 200-37 of the Township's Sewer Code to allow replacement of the existing non-conforming simplex ejector pump, currently located in the basement, with a simplex grinder pump in the front yard. Current Township Code requires a duplex pump with one acting as a backup unit.

After a brief discussion regarding Code and whether Mr. Whitmore has a hardship with regards to the current configuration, the Board members agreed to reject the waiver based on the Township's Sanitation Engineer's memorandum dated April 30, 2018.

Makoto – Newcomen Rd.: Decision & Order

The Decision & Order has been drafted that would permit the change of tenant in 404 Newcomen Rd. to Kenney Marketing & Advertising, Inc. and amend the Conditional Use Order that required Makoto to have 20 parking spaces and seek relief to lower that number to 15 with the additional 5 spaces to be used by the new tenant. The Conditions are listed below but are not limited to:

1. The new parking layout shall be approved with 15 spaces required for Makoto (Lot #6) and 5 spaces for Kenney Marketing (Lot #5). Should any traffic/parking complaints be encountered, the current property Owners will be responsible for constructing an amount of new spaces behind and adjacent to the Parking Lot at Lot #6 with the entrance to the new parking to be from the southwest corner of the parking lot on Lot #6. The amount of new spaces and the design of the new parking shall be at the sole discretion of the Township.
2. Kenney Marketing is approved under the provisions of the prior Order dated February 27, 1995 as being similar in use and size as the previous tenant.
3. Ingress and egress for Kenney Marketing shall be from Newcomen Rd. through the Parking Lot on Lot #6. No Ingress and egress shall be from the private road servicing the residential units on the site.
4. The apartment attached to the rear side of Lot #5, now office space for Kenney Marketing, shall have 2 spaces off of the private road with one space used for the free-standing garage which is part of Lot #6.

5. Signage for Kenney Marketing must be on a sign shared with Makoto and erected near the driveway to the 20 space Parking Lot. Kenney Marketing will also be entitled to a small wall-mounted sign. Both free-standing and wall-mounted signs must match the era of construction of the existing buildings. All sign permits must be approved before occupancy and placement of signage.
6. Except as provided herein, the Applicants shall comply with all prior Conditional Use Orders for the properties, including without limitation Conditional Use Orders dated November 10, 2014 and January 12, 2015.

Mrs. Baumann made a motion to approve the Decision & Order for Makoto and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Appointment of Member to the Comprehensive Plan Update Committee:

Mr. Miller made a motion to nominate Mrs. Baumann to be appointed to the Committee and Dr. Doan seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Park & Recreation Update:

Mrs. Churchill reported that the Township will be replacing the playground equipment at the following parks: Spring Run, Shamona Peck, Lionville and Shamona Main. The larger parks, Lionville and Shamona Main, will be ADA compliant. Equipment for each park will cost approximately \$30,000.

Improvements to the Uwchlan Trail system include directional signs as well as shared cost of a footbridge and parking area along Route 282 for the new East/West Trail.

Discussion: Downingtown Sewer Sale

The Township has received a letter from the Downingtown Borough stating their intention of selling a portion of its sewer capacity allocation to E. Caln Township. Since there is an Intermunicipal Agreement between DARA and various townships, Uwchlan included, the sale of such capacity must be offered to all Parties. Each individual Township then decides if they are interested or not in purchasing any portion of the offered capacity.

Since Uwchlan Township is not interested in purchasing sewer capacity, Dr. Doan made a motion to allow the Borough to sell the sewer capacity to E. Caln as stated in their letter of April 16, 2018 and Mrs. Baumann seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Resolution No. 2018-12: Specifications for Traffic Signals

The Township has recently received grant money from PennDOT to place battery back-ups at 12 intersections throughout the township. Since PennDOT requires specific equipment be used, the Township is required to update their Traffic Signal Specifications for all signalization. Resolution No. 2018-12 outlines these specs.

Dr. Doan made a motion to adopt Resolution No. 2018-12 and Mrs. Baumann seconded. Mr. Miller asked for public comment. There being none, the motion was carried unanimously.

Sunoco Update:

Township Solicitor, Mark Freed, gave an update on the legal activity surrounding the Sunoco Mariner II pipeline project stating that the shut down associated with the sinkholes in West Whiteland has ended and Sunoco is now allowed to proceed with the project. Uwchlan Township's geology is much more stable than West Whiteland's so the Township has not experienced similar issues.

Senator Dinniman and West Whiteland Township are currently challenging the Mariner I & II project. A Hearing was held last week in Harrisburg with transcripts now available. If Uwchlan Township still has "issue" with the project, they must bring their own case.

Mark Toolan, 120 Lakeview Dr., asked if the Township is a "Party" to the above-mentioned challenge. Mr. Freed stated that Uwchlan is not involved at this time but this may change in the future.

Mr. Miller asked for an update on the pipeline activity in Eagleview. Dan Daley, Township Engineer, reported that the Mariner II pipe is installed and the crews have been re-mobilized to connect the pipes. The process would include an open cut (excavation) at the pipe ends. The pipeline work in Marchwood has not proceeded to this point, yet. The pipes are still not all in the ground.

The following residents had questions regarding location of excavation, depth at pipe connections, DEP vs. Township permits, mowing of the right-of-ways, and estimated completion times:

1. Laura Obenski – 14 S. Village Ave.
2. Carrie Gross – 207 Crump Rd.
3. Heather Dunghe – 502 W. Uwchlan Ave.

Mr. Daley explained that, at this time, the exact location of excavation is unknown, depth at connections must be at least 4 feet, there is no estimated completion time although Mr. Freed stated the work could be completed by Summer 2019. Sunoco has been notified of the need to mow all right-of-ways with this maintenance to be ongoing.

Regarding permitting, the Township has certain approved permits and DEP has approved permits. They are not necessarily identical.

Mrs. Obenski and Margaret Quinn, 503 Carmarthen Dr. , had concerns with whether the Township is pro-active in enforcing the protection of the environment with regards to diesel emissions from all of the trucks. Chief Alexander stated that based on the State Health & Safety Act, the Police Department can enforce although there are some exceptions. Residents need to call and report to the Police and they will handle on a case by case basis with information about type of vehicle and location. DEP is the primary enforcer of the Health & Safety Act but they are not very active in doing so. Also, Sunoco personnel need to be educated as to what the Act states.

Mrs. Gross questioned the existing Noise Ordinance and its enforcement. Mr. Miller stated that he has reviewed the Ordinance and proposes a change to the times.

Mr. Miller made a motion to change the wording of the Noise Ordinance regarding the requirement to cease certain activities to "1/2 hour after dusk or 7 p.m., whichever comes first." Dr. Doan seconded the motion. Mr. Miller asked for public comment. There being none the motion was carried unanimously.

An amended Noise Ordinance will be up for adoption at the next Board meeting.

ANNOUNCEMENTS:

1. 6/03 – Open House @ Edith P. Moore School House and the Cadwalader House – 2:00 p.m.
2. 6/06 – Planning Commission – 7:30 p.m.
3. 6/11 – Board of Supervisors – 7:30 p.m.
4. 6/14 – Historical Commission – 7:30 p.m. - Cadwalader House

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

1. Alon Ben-Schmuel, 222 Windham Dr., asked for an update on the recent threat at the high school. Chief Alexander reported that the juvenile responsible for the threat has been expelled from campus. The Police don't believe that the students were in any danger although the threat is considered a criminal act and will be dealt with as such.

Mrs. Dunghe asked if the Police monitor activity at the high school. Chief Alexander stated that the Police go to the school unannounced every day.

2. Laura Obenski stated that she likes that the Township has become active on Twitter and asked if the Township would consider live streaming the Board meetings. Mr. Miller said the Board would have to consider the cost and logistics of doing this.

There being no other business, Mrs. Baumann made a motion to adjourn the meeting at 8:45 p.m. Dr. Doan seconded and the motion was carried unanimously.

Respectfully submitted,

Katie Churchill
Administrative Secretary

/jc