

# UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

## MEETING MINUTES January 2006

January 3, 2006 / January 9, 2006 / January 23, 2006

### January 3, 2006 - Reorganization

The meeting was called to order at 4:00 p.m. by the 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 and Chief Davis.

#### **Election of Chairman and Vice-Chairman:**

Mr. Toner moved to elect Mr. Gaines as Chairman and Mr. Bozarth as Vice-Chairman of the Board of Supervisors, and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

#### **Establishing Meeting Dates and Times:**

Mr. Toner made a motion that the Board of Supervisors will meet on the second and fourth Monday of each month in the Township Building beginning at 7:30 p.m. with one meeting a month during the summer and in December. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Establishing Treasurer's Bond @ \$700,000:**

Mr. Toner made a motion to approve the Treasurer's Bond @ \$700,000 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Appointments to Boards and Commissions:**

	From-To
Historical Commission:	
Robin Brendza	- 2006-2008
Holly Lopacki	- 2006-2008
Marian Bartlett	- 2006-2008
Michael Huffman	- 2006-2007
Industrial Development Authority:	
Timothy McCloskey	- 2006-2010
Municipal Authority:	
Joseph Ferry	- 2006-2010
Planning Commission:	
Samuel Matthews	- 2006-2009
Nancy Kane	- 2006-2009
Park & Recreation:	
Pat Durr	- 2006-2010
Elizabeth Randzin	- 2006-2010
Vacancy Board:	
Val DiGiorgio	- 2006
Zoning Hearing Board:	
Paul Holton	- 2006-2008
Appointment to Traffic Impact Committee:	
William Flanagan	Joseph Ferry
Robert Hankin	Alice Johnson
William Lally	Neil Liebman
Samuel Matthews	Tom Oeste
Frank Hogan	
Appointment to Joint Planning Commission:	

Milton Bozarth - Voting Member

William Flanagan - Alternate

**Appointments to Serve at the Pleasure of the Board of Supervisors:**

Township Manager	Douglass Hanley
Police Chief	J. Patrick Davis
Secretary/Administrative Supervisor	Lynda Phiel
Treasurer	Susan Bernhard
Zoning Officer/Building Inspector	Thomas Cooke
Assistant Building Inspector	Charles Cadden
Assistant Building Inspector	Ed Morris
Road Superintendent	James Peterson
Sanitation Superintendent	Jeff Stewart
Sanitation Engineering Consultant	Gannett-Fleming
Engineering Consultant	Walsh & Associates
Lighting Consultant	Stanley Stubbe
Electrical Inspection Agency	Code Inspections
Traffic Consultant	Orth-Rodgers & Assoc.
Alternate Traffic Consultant	Caruolo Associates
Bridge & Structural Consultant	Roman Jastrzebski
Accounting Firm	Barbacane Thornton & Co.
Township Solicitor	Lamb McErlane
Fire Marshal	Michael Holmes
Assistant Fire Marshal	Kevin Beans
Assistant Fire Marshal	Lee Ruth
Emergency Services Director	John McNamara
DARA Representative	Dick Beidleman
DARC Representative	Diane Giumento
LYA Representative	Kevin Ryan
Downingtown Library Representative	

**Designate Banks for Township Depositories:**

DNB First	Malvern Federal Savings Bank
Citizens Bank	Commerce Bank
Wachovia	Sovereign Bank
First Financial Bank	National Penn Bank
First National Bank of Chester Co.	PA Local Government Trust
Nova Savings Bank	PA Treasurer's Investment Trust
Bank of America/Fleet	M & T Bank
First Resource Bank	PNC Bank

**Investment Firms:**

American Financial Group, Ltd.  
Dean Whitter Reynolds, Inc.  
First American Investment Group  
Merrill Lynch  
Paine Webber  
Prudential Bache  
Salomon Smith Barney  
United American Investment, Inc.  
Wheat First Butcher Singer

**Independent Auditor:**

Barbacane Thornton

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

## **BUSINESS:**

### **Board of Supervisors: Health Care Announcement**

The Board announced that they all intend on participating in the Township Health Care Plan.

### **Hankin: Delay on Impact Fee Payment**

The Hankin Group, in 1997, executed certain Restrictive Covenants on a parcel of land located at Pennsylvania Ave. and Eagleview Blvd. that were recorded with the Recorder of Deeds. They have requested that they be permitted to delay payment of their Impact Fees.

Mr. Donatelli has reviewed the request and recommended to the Board that they allow the delay until specific development occurs on the property or December 31, 2006.

Mr. Bozarth made a motion to allow the delay of payment as recommended by Mr. Donatelli and be memorialized as an Amendment to the Restrictive Covenants to be signed by the Chairman of the Board of Supervisors. Mr. Toner seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

### **Personnel Policy Revisions - Resolution No. 2006-01:**

This Resolution outlines changes to the Non-Uniform Employee Personnel Policy.

Mr. Toner made a motion to adopt Resolution No. 2006-01 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

## **OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS**

Chief Davis thanked the Board for the benefit changes for the Police Department.

There being no other business, Mr. Bozarth made a motion to adjourn the meeting at 4:07 p.m. Mr. Toner seconded and the motion was carried.

# January 9, 2006

The meeting was called to order at 7:30 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

**Present:** Supervisors: Frederick W. Gaines, Milton H. Bozarth and Joseph E. Toner; Township Manager Doug Hanley; Township Secretary Lynda Phiel; Township Solicitor Guy Donatelli and Chief Davis.

**Minutes:** The minutes of December 12, 2005 and January 3, 2006 were approved by a motion made by Mr. Bozarth and seconded by Mr. Toner. Mr. Gaines asked for public comment. There being none, the motion was carried.

## **BUSINESS:**

### **REPORTS:**

**Police:** Chief Davis reported that there were 290 traffic citations issued, 26 criminal arrests and 45 auto accidents during the month of December.

**Treasurer:** Mr. Hanley announced that the Treasurer's report will be available at the time the Township audit is completed.

**Road Department:** Mr. Hanley reported that for the month of December the Road Department completed blacktop repair on Peck Rd.; cleaned various catch basins; repaired storm grate on Sheree Blvd.; repaired mailboxes damaged during snow removal; painted portions of Road garage; salted roads on four occasions and plowed once; and serviced and repaired various equipment.

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

Daily Average Flow:

Downingtown            1.53 million gpd

There were no new sewer connections to DARA and 2 new connections to the Eagleview Plant during the month of December. Year-to-date totals are 12 and 35 respectively.

The Township has received 3.82 inches of precipitation during December. Year-to-date, there is a surplus of .38 inches.

**Fire Marshal:** Mr. Holmes reported that he answered 27 fire calls during the month of December, 18 of which were during work hours; reviewed plans for commercial buildings and conducted inspection of those under construction; performed 1 fire investigation; assisted the Road Department with plowing; and conducted fire inspections of various commercial buildings. Year-to-date, he has responded to 261 fire calls.

**Lionville Fire Co.:** Mr. Holmes reported that the Fire Co. answered 56 alarms during the month of December, 31 of which were in Uwchlan Township.

**Uwchlan Ambulance Corps:** Mr. Durr reported that during the month of December the Ambulance Corps responded to 296 calls, 63 of which were in Uwchlan Township. He also noted that he has asked Chester County dispatch to prepare a summary of calls for 2005 and will forward that information to the Township once it is received.

**Facilities Committee:** Mr. Gaines reported that the Township will be meeting with Studio eec to discuss changes to the main building.

**Building/Zoning:** Mr. Hanley reported that during 2005, 635 permits were issued and a total of \$277,933.68 in fees collected.

The Board accepted the Reports as submitted.

### **Demucci: Conditional Use Acceptance**

The Township has received a letter from Louise Demucci, Owner, accepting the Conditional Use Decision regarding 5 S. Village Ave.

### **Dunkin Donuts/Baskin Robbins: Conditional Use Acceptance**

The Township has received a letter from Ed Meltzer, Owner of Record, accepting the Conditional Use Decision regarding the former Texaco property on Route 113.

### **Resolutions:**

#### **1. No. 2006-02: Emergency Service Contact People**

This Resolution lists those responsible for the public safety of the residents of Uwchlan Township.

Mr. Bozarth made a motion to adopt Resolution No. 2006-02 and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

**2. No. 2006-03: Establishing Treasurer and Manager as Chief Administrative Officers**

**3. No. 2006-04: Establishing 44.5 Cents/Mile Reimbursement Rate for Personal Vehicle Use**

Mr. Toner made a motion to adopt Resolution No. 2006-03 & No. 2006-04, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

**4. No. 2006-05: Amends Resolution No. 2004-25 by Revising Certain Building Permit Fees**

Mr. Toner made a motion to adopt Resolution No. 2006-25 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

**Hankin: Revision to Hankin Impact Fee Restrictive Covenants**

Mr. Donatelli has reviewed the Hankin Group's request to delay payment of their Impact Fees with regards to their parcel of land located near Pennsylvania Ave. and Eagleview Blvd. He has drafted an agreement granting the extension until December 31, 2006.

Mr. Bozarth made a motion that once the Board signs the Agreement, it will go to the Hankin Group to be recorded. Mr. Toner seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

**ANNOUNCEMENTS:**

1. 1/12 - Historical Commission - Reorganization and Regular Meeting - 7:30 p.m. @ Cadwalader House
2. 1/18 - Zoning Hearing Board - Miner, 617 Nancy Jane Lane, Variance - 7:00 p.m.
3. 1/20 - UTIDA - Reorganization and Regular Meeting - 8:30 p.m.
4. 1/23 - Board of Supervisors - Regular Meeting - 7:30 p.m.

**OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT**

Louann Reno, 101 Southside Circle, presented the Board with a petition to improve the conditions for students walking along Dorlin Mill Rd. to the Shamona Creek Elementary School. The petition asks for a lowered speed limit, additional flashing lights, an extension of the guard rail to Robert Dean Dr. and additional signage. There was a brief discussion regarding this issue and the Board members agreed to take the matter under advisement.

Mike Musheno, 506 Woodview Dr., complained that the High School loudspeakers are annoying and are too loud. He asked the Board to intercede.

Mr. Toner agreed that this has been an on-going problem, but the current President of the School Board, Alice Johnson, has agreed to make this her #1 priority this year. He also stated that the Township has little control over this issue.

Mrs. Reno wanted the Board to also be aware that the flashers at the Elementary School do not work at times when the school has dismissed early. Since they are all on timers, the only solution would be to allow control from the principal's office. Such an arrangement would be expensive, but the Board said it is a school issue, not a Township issue.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:08 p.m. Mr. Bozarth seconded and the motion was carried.

# January 23, 2006

The meeting was called to order at 7:30 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

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

**Minutes:** The minutes of January 9, 2006 were approved by a motion made by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.

## **BUSINESS:**

### **Community Day Committee Report:**

Bill Fagan and Betty Randzin thanked their committee, Township staff and Emergency Service personnel for all the work they did in conjunction with Community Day 2005. This year, Community Day will be held on Saturday, July 8, 2006.

The Board members all agreed that the event was a success.

### **Special Requests:**

#### **1. Corvette Club - Bob Anderson - Monthly Cruise Night:**

Bob Anderson, a Representative of the "Keystone State Corvette Club" requested permission to hold monthly cruise nights on the 2nd Saturday of each month from April through October, 4:00 p.m.-9:00 p.m. He has received permission from Ron Inverso, Owner of Ron's Schoolhouse, to hold the event in their parking lot.

There will be no burnouts, alcoholic beverages, loud music or reckless driving. Any violation will result in the offender being removed from participation in future events.

Mr. Donatelli said he has researched the organization and found it to be very organized with involvement in numerous charities.

Chief Davis mentioned his concern with parking, which can't be evaluated until the actual event is held.

Mrs. Randzin was concerned that one of the scheduled events would fall on the same date as Community Day this year. Mr. Anderson agreed to coordinate with the Community Day committee with regards to July 8, 2006.

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

#### **2. Mommy's Light Lives On - Hillary DeLone - 5K Run/Walk:**

The Township has received a request from Mrs. DeLone to hold a 5K Run/Walk in Eagleview on April 29, 2006. The event planned is identical to the one held last year. Mrs. DeLone has received permission from the Hankin Group and has agreed to provide a certificate of insurance.

Mr. Bozarth made a motion to approve the 5KRun/Walk and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

### **Dunkin Donuts/Baskin Robbins: Time Extension**

The Township has received a letter from Mr. Meltzer, Owner of Record, granting a time extension through February 27, 2006 for this plan.

### **2006 Road Program: Permission to Receive Bids**

Mr. Hanley reported that the road program for this year will be concentrated in the Welsh Ayres development and cost approximately \$250,000. He requested permission to receive bids at the February 27, 2006 meeting.

Mr. Toner made a motion to grant permission to receive the bids for the 2006 Road Program and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

## **ANNOUNCEMENTS:**

1. 02/01 - Municipal Authority - 7:15 p.m.
2. 02/01 - Planning Commission - 7:30 p.m.
3. 02/06 - Park & Recreation - 7:30 p.m.
4. 02/09 - Historical Commission - 7:30 p.m. @Cadwalader House

5. 02/13 - Board of Supervisors Regular Meeting - 7:30 p.m.

**OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS**

Mr. Toner announced that there are efforts underway to get the property at 342 Devon Dr. cleaned up. The yard maintenance business being run out of this location has received letters from the Building/Zoning Department requesting compliance with Township Ordinances in this regard.

The Board announced they will be going into an Executive Session following the regular meeting to discuss a personnel matter.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 7:50 p.m. Mr. Bozarth seconded and the motion was carried.