

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES JANUARY 2007

January 2, 2007 / January 8, 2007 / January 22, 2007

January 2, 2007 - Reorganization Meeting

Present: Supervisors: Frederick W. Gaines, Milton H. Bozarth, and Joseph E. Toner, Township Secretary, Lynda Phiel and Officer in Charge, Lt. Joseph Pontarelli.

1. Call to Order:

The meeting was called to order at 4:00 p.m. by the Chairman, Frederick W. Gaines and the Pledge of Allegiance was recited.

2. 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. Mr. Bozarth seconded the motion, which was carried unanimously.

3. Establishing Meeting Dates and Times:

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. except for the months of June, July, August and December when the Board will meet the second Monday only.

4. Establishing Treasurer's Bond @ \$700,000:

Mr. Toner moved to establish the Treasurer's Bond at \$700,000 as recommended by the Board of Auditors. Mr. Bozarth seconded the motion, which was carried unanimously.

5. Appointments to Boards and Commissions:

Historical Commission:

Patricia Gaines - 2007-2009
Edwin Bauer - 2007-2009
Darren White - 2007-2009
Connie Happersett - 2007-2009
Ethel Otter - 2007-2009

Municipal Authority:

William Flanagan - 2007-2011

Planning Commission:

Joseph Ferry - 2007-2011
Charles Kalemjian - 2007-2011

Park & Recreation:

Scott Darling - 2007-2011
Elizabeth Randzin - 2007-2011

Vacancy Board:

Val DiGiorgio - 2007-2007

Zoning Hearing Board:

Val DiGiorgio - 2007-2009

6. Appointment of Traffic Impact Committee:

Joseph Ferry	William Lally
William Flanagan	Neil Liebman
Robert Hankin	Samuel Matthews
Frank Hogan	Tom Oeste
Alice Johnson	

Mr. Toner made a motion to approve items 5 and 6, as presented. Mr. Bozarth seconded the motion, which carried unanimously.

7. Other Official Appointments:

Township Manager	Doug Hanley
Officer in Charge	Joseph Pontarelli
Secretary/Adm. Supervisor	Lynda Phiel
Treasurer	Susan Bernhard
Zoning Officer/Building Inspector	Thomas Cooke
Assistant Building Inspector	Charles Cadden
Assistant Building Inspector	Edward Morris
Road Superintendent	James Peterson
Sanitation Superintendent	Jeff Stewart
Sanitation Engineering Consultant	Gannett Fleming
Engineering Consultant	Walsh & Associates
Lighting Consultant	Stanley Stubbe
Traffic Consultant	Orth-Rodgers & Assoc.
Alternate Traffic Consultant	Caruolo Associates
Bridge & Structural Engineer	Jastrzebski Engineers
Accounting Firm	Barbacane Thornton & Co.
Solicitor	Lamb McErlane
Fire Marshal	Michael Holmes
Assistant Fire Marshal	Kevin Bean
Assistant Fire Marshal	Lee Ruth
Emergency Services Director	John McNamara
DARA Representative	Dick Beidleman
DARC Representative	Diane Giumento
LYA Representative	Kevin Ryan

8. Designate Banks for Township Depositories:

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

9. Investment Firms:

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

10. Independent Auditor:

Barbacane Thornton & Company

Mr. Toner made a motion to approve items 7 through 10, as presented. Mr. Bozarth seconded the motion, which carried unanimously.

Other Business:

Mr. Toner introduced a new item which was not on the agenda: Establishing Board of Supervisors Liaisons to

Public Works, Safety and Health.

Mr. Toner explained this has been discussed previously and would meet FEMA and PEMA standards. He then explained Public Works would include facilities, roads and sanitation; Public Safety would include police, fire and rescue and Public Health would cover EMS and transportation.

Mr. Toner made a motion to appoint himself to Public Works. Mr. Gaines to Public Safety and Mr. Bozarth to Public Health.

Mr. Bozarth stated he does not see the need for these positions and believes the Board is exceeding their legal authority and responsibility.

Mr. Gaines seconded the motion, which carried. Mr. Bozarth voted no.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 4:06 p.m. Mr. Bozarth seconded and the motion was carried.

JANUARY 8 , 2007

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 Susan Bernhard; Fire Marshal Mike Holmes and Lieutenant Pontarelli.

Minutes: The minutes of December 11, 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.

There was discussion concerning the minutes of January 2, 2007 since Mr. Bozarth felt his position regarding an item was not reflected properly in the minutes. Mr. Bozarth wanted changes made to the minutes, but the remaining Supervisors did not agree with his account of what was said on January 2, 2007.

Mr. Toner made a motion to approve the minutes, 4th revision, and Mr. Gaines seconded the motion. Mr. Bozarth voted "no". The motion was carried.

Mr. Bozarth then read into the record the following statement:

At the 01/2/07 BOS meeting, Mr. Toner introduced a new item which was not on the Agenda, establishing what he called "liaison" positions. Apparently, when I responded to Mr. Toner's proposal, there was a problem with the audio recording. Therefore, I would like to be sure that the record of tonight's meeting accurately reflects my position. I object to Mr. Toner's proposed "liaison" positions and I believe that his proposed action will subvert the Supervisors' statutory authority and responsibility, specified in the Second Class Township Code.

BUSINESS:

REPORTS:

Police: Lieutenant Pontarelli reported that there were 110 traffic citations issued, 21 criminal arrests and 44 auto accidents during the month of November.

Treasurer: Ms. Bernhard had no report at this time.

Road Department: Mr. Peterson reported that for the month of December the Road Department milled out and black-topped areas on Shelmire Rd.; repaired areas of lateral support along Worthington Rd. and Shelmire Rd.; built and installed new overflow for Martin Farm Park pond; installed handicapped ramp at the Township building; cut and chipped trees; cleaned catch basins; and serviced and repaired snow removal equipment.

Mr. Peterson requested permission to purchase a new Mack truck to replace a 1988 dump truck.

His Department has compared a 6-wheel Mack with a 10-wheel Mack and recommend the 6-wheeler be purchased under State contract for \$116,421.00.

Mr. Toner made a motion to allow for the purchase of a 6-wheel Mack truck, color blue, under the State contract at the cost of \$116,421.00 or below and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

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

Daily Average Flow:

Downingtown 1.64 million gpd

There was one new sewer connection to DARA (14 YTD) and 48 new connections at the Eagleview Plant (62 YTD) during the month of December.

The Township has received 2.42 inches of precipitation during December. Year-to-date, there is a surplus of almost 14 inches.

Fire Marshal: Mr. Holmes reported that he answered 35 fire calls during the month of December, 7 of which were during work hours; conducted 23 fire inspections; reviewed plans for commercial buildings and inspected those under construction; and spent 8 hours of work time handling Fire Department activity. Year-to-date, Mr. Holmes conducted 42 fire investigations, most of them shed and brush fires in the Marchwood/Rhondda area.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. answered 48 alarms during the month of December, 27 of which were in Uwchlan Township.

Also discussed, was a letter dated January 5, 2007 from Fire Chief, Mr. Holmes, requesting an extension on a loan for \$400,000 from the Township for a ladder truck.

Mr. Toner made a motion to extend the terms of the loan for an additional 3 years. and Mr. Bozarth seconded.

Mr. Gaines asked for public comment. There being none, the motion was carried.

Mr. Bozarth asked if Uwchlan Township's number of fire alarms have increased. Mr. Holmes answered that the numbers are typical.

Uwchlan Ambulance Corps: No one was present.

Facilities Committee: Mr. Cooke reported that the painters have started, carpeting is expected this week and

the security system should be completed by January 15, 2007. He is hopeful that the next Board of Supervisors meeting will be held in the new meeting room.

Building/Zoning: Mr. Cooke reported that during 2006, 723 permits were issued and a total of \$318,695.01 in fees collected. He also noted that the Court case that challenges the limiting of third-party inspection agencies, has been appealed.

The Board accepted the Reports as submitted.

Resolutions:

1. No. 2007-01 - Appointing Public Safety Agencies

This is a yearly resolution that appoints various agencies to fulfill the Public Safety needs of Uwchlan Township. All are appointed for the year except the Ambulance Corps, which will provide service on a month to month basis.

Mr. Toner made a motion to adopt Resolution No. 2007-01 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Mr. Bozarth asked where the trauma center is located. Mr. Holmes said it depends on the sustained "trauma". Different hospitals treat different types of trauma.

2. No. 2007-02 - Establishing Chief Administrative Officers for Police Pension Fund

Mr. Toner made a motion to adopt Resolution No. 2007-02 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

3. No. 2007-03 - Establishing a rate of 48.5 cents per mile reimbursement

Mr. Toner made a motion to adopt Resolution No. 2007-03 and Mr. Bozarth seconded. Mr. Gaines asked for public comment.

Mr. Bozarth asked why anyone would use their personal cars when Township vehicles are available. Ms. Bernhard answered that it is a matter of convenience, and payout usually does not exceed \$100/mo.

The motion was carried.

4. No. 2007-04 - Amending Building Fee Schedule

The only change to this resolution is an increase from \$2.00 per permit to \$4.00 per permit for the PA Labor & Industry Fee, which is required.

Mr. Toner made a motion to adopt Resolution No. 2007-04 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

5. No. 2007-05 - Approving UTIDA Funding for the Malvern Preparatory School

6. No. 2007-07 - Approving UTIDA Funding for the Camphill Special School

Mr. Toner explained that these two items are administrative in nature, that he, as Chairman of the Industrial Authority was able to, in the past, approve funding for these schools. This resolution is required now since he is no longer Chairman.

Mr. Toner made a motion to adopt Resolution Nos. 2007-05 and 2007-07, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Hankin: Request for One-year Extension for Eagleview Treatment Plant

The Township has requested from Mr. Hankin, a one-year extension on the option to take over the Eagleview Treatment Plant, until January 19, 2008. Mr. Donatelli, Township Solicitor, has reviewed the request and sees no problem.

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

Eagleview - Lot #51 Final Plan: Resolution No. 2007-06

Neal Fisher of the Hankin Group presented the Final Land Development plan for Lot #51 which lies on Eagleview Blvd. across from Pennsylvania Dr. in the Eagleview Corporate Center. Shown is a 150,000 s.f. office building with required parking.

The Applicant has received Conditional Use approval as well as approval from the Zoning Hearing Board. They are also in receipt of review letters from E.B. Walsh dated January 2, 2007; Gannett Fleming dated December 13, 2006 & December 27, 2006; Orth/Rodgers dated December 28, 2006; Stanley Stubbe dated December 26, 2006; Conservation District dated

November 27, 2006; and Fire Marshal and Police Department comments; and stated that they will comply with all review items, specifically mentioning that the Applicant will be in compliance with the recommendation from Orth-Rodgers for a turn lane on Eagleview Blvd.

Mr. Bozarth made a motion to approve the final plan for Lot #51 (Resolution No. 2007-06) contingent on the above review letters and Conditional Use Order, and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 1/17 - Zoning Hearing Board - 7:00 p.m. - 103 Honey Tree Ct. - Variance
2. 1/18 - Historical Commission @ Cadwalader House - 7:30 p.m.
3. 1/22 - Board of Supervisors - Regular Meeting & Hearing - Target - 7:30 p.m. in new meeting room

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT

Ed Delio, 614 Chinook Dr. asked the Township to look at the traffic configuration at the entrances/exits of the new Dunkin Donuts/Baskin Robbins located on the corner of Route 113 and Whitford Hills Rd. His concern was for the entrance off of Whitford Hills Rd. There is a small hill on Whitford Hills Rd. that blocks the view of the entrance, which may result in accidents.

Although the accesses to this facility were reviewed by PennDot and Township Engineers, Mr. Hanley and Mr. Cooke took a look at the entrance in question, and the owner of the property has agreed to redesign the exit onto Whitford Hills Rd. whereby allowing you to only exit from the drive thru lane or by pass lane onto Whitford Hills Rd.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:23 p.m. Mr. Bozarth seconded and the motion was carried.

JANUARY 22, 2007

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 Susan Bernhard and Lieutenant Pontarelli.

Mr. Gaines welcomed everybody to the new Township meeting room and offered special thanks to Tom Cooke and Fran Schorn, the General Contractor.

Minutes: Mr. Toner asked that since he had not had a chance to read the minutes of the 1/8/07 meeting that they be tabled until the next meeting. Mr. Gaines stated he had not yet read them either and that their approval should be tabled.

BUSINESS:

Ordinance No. 2007-01: Amending Realty Transfer Tax and Authorizing the Department of Revenue of PA to Determine, Collect and Enforce the Tax, Interest and Penalties

Mr. Toner made a motion to adopt Ordinance No. 2007-01 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

The Supervisors announced that the Township is not raising taxes for the year, making it the 21st year that taxes have not gone up.

Hankin: Lot #51 - Eagleview - Land Development

Mr. Donatelli explained that the Township has received a request from the Hankin Group to revisit the Land Development approval given at the last meeting. Environmental information was inadvertently left off the plan. Buck Riley, Attorney for Hankin, requested that the Township revoke the prior approval and approve the plan with the information submitted tonight. Mr. Donatelli advised that it is within the Supervisors' authority to do this. Mr. Bozarth made a motion to revoke the original approval, accept the additional information and pass the Resolution accepting the plan as advised by Mr. Donatelli. Mr. Toner seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 2/07 - Planning Commission - 7:30 p.m.
2. 2/07 - Historical Commission @ Cadwalader - 7:30 p.m.
3. 2/12 - Board of Supervisors Regular Meeting - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT

Mr. Hanley reported that the sewer lines in Rutgers Dr. from the M & T Bank to the creek have been televised and were found to be structurally unsound. Since P.J. Reilly is already working on the adjacent old Lion Share property, they were asked for a quote to replace the line; the cost being \$91,800.00. Due to the urgency of the situation, Mr. Donatelli advised the Supervisors that they may authorize the work.

Mr. Toner made a motion to allow P.J. Reilly to reconstruct/replace the sewer line from the M & T Bank to the creek crossing, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Frank Baier, 101 Briery Ct., asked if the residents would be charged for this repair. Mr. Hanley said the repairs are to the sewer trunk line and laterals within the street bed. This part of the sewer system is owned and maintained by the Township. The residents are not responsible for that cost.

AFTER THE MEETING:

Conditional Use Hearing - Target

There being no other business, Mr. Toner made a motion to adjourn the meeting at 7:44 p.m. Mr. Bozarth seconded and the motion was carried.