

# UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

## MEETING MINUTES July 2007

### July 9, 2007

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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; Township Solicitor Mark Thompson and Lieutenant Pontarelli.

**Minutes:** The minutes of June 11 and June 29, 2007 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:**

#### **Township Solicitor, Mark Thompson read the following statement:**

"As some of you may be aware, Hankin Enterprises, Ltd. on April 5, 2007, filed for a Conditional Use approval to amend the Board of Supervisors' prior Conditional Use Decision regarding Tax Parcel 33-4-8.13, located in the Eagleview Town Center on Rice Blvd., Uwchlan Township, Exton, PA. The Applicant sought Conditional Use approval to replace the previously approved proposed 98-unit hotel with an 80-unit residential condominium building. We conducted a hearing on that application on May 29, 2007, and informed those in attendance that the Township would issue its Decision and Order tonight, July 9, 2007.

However, on June 27, 2007, we received a letter from Hankin's Counsel of Record, Denise Yarnoff, Esquire, withdrawing Hankin's Conditional Use application and relieving the Board from rendering any decision in the matter. The Board has already accepted Hankin's withdrawal at its public meeting on Friday, June 29, 2007. Accordingly, the Board will not be issuing a decision on this application."

### **REPORTS:**

**Police:** Lieutenant Pontarelli reported that there were 256 traffic citations issued, 25 criminal arrests and 36 auto accidents during the month of June.

Mr. Gaines commended Lieutenant Pontarelli for his performance during the last 6 months as Officer-in-Charge of the Police Department. He then turned to Mr. Toner who said that the Supervisors are absolutely delighted with Lieutenant Pontarelli's leadership and have created a citation, a motion and an announcement. Mr. Toner then read a statement saying that the Board offers the following motion:

Effective today, Lieutenant Pontarelli, Officer-in-Charge is appointed and promoted to Chief of Police, with the rank of Captain. Mr. Bozarth seconded and the motion was carried unanimously.

Mr. Bozarth made additional comment praising Chief Pontarelli's performance and qualifications.

Chief Pontarelli thanked everyone while his wife, Sue, pinned the Captain's bars on his uniform. Several Officers were present, all of whom congratulated him.

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

Fund	Revenues	Expenses
General	\$632,138.40	\$596,588.88
Hydrant	1,166.60	7,974.00
State Liquid Fuel	1,507.50	260,127.36
Sewer	26,694.47	836,473.79

Ms. Bernhard reported that the Township has collected almost 68% of its budgeted revenues and spent almost 48% of its budgeted expenditures.

**Road Department:** Mr. Hanley reported that for the month of June the Road Department paved 13 streets; repaired 12 catch basins and sinkholes; rebuilt 2 catch basins on Rutgers Dr. and one on Merioneth Dr.; cleaned out 5 catch basins and flushed pipes on Fairweather Dr. at Dowlin Forge Rd.; and serviced and repaired various equipment.

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

Daily Average Flow:

Downingtown 1.85 million gpd

There were five new sewer connections to DARA and one new connection at the Eagleview Plant during the month of June.

The Township has received 3.37 inches of precipitation during the month of June. Year-to-date, there is a surplus of 2.5 inches.

Mr. Hanley also reported that repairs to the sewer line along Ship Rd. will begin shortly.

**Fire Marshal:** Mr. Holmes reported that he answered 20 fire calls during the month of June, 11 of which were during work hours; spent 5 hours of work time handling Fire Department activity; and reviewed plans for commercial buildings and inspected those under construction.

**Lionville Fire Co.:** Mr. Holmes reported that the Fire Co. answered 48 alarms during the month of June, 26 of which were in Uwchlan Township. He also announced that the annual Clam Bake will be Monday, September 2, 2007.

**Uwchlan Ambulance Corps:** Jeannine Lincoln reported that the Ambulance Corps responded to 238 calls during the month of June, 79 of which were in Uwchlan Township.

Mr. Toner spoke about the number of differences the Board has had in the past with the Corps, but said that now, through hard work, the working relationship has been restored.

As a result of the improving relationship, Mr. Toner made a motion to restore the Township's relationship with the Uwchlan Ambulance Corps as the EMS provider of choice through the end of 2007, and Mr. Bozarth seconded.

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

Mr. Gaines and Mr. Bozarth made additional comments praising UAC's performance and noted that they are glad the Corps has moved back to being in "good standing".

**Facilities Committee:** Mr. Cooke reported that various maintenance items have been repaired in the Police building and painting will be started in the older portion of the administrative building.

The Board accepted the Reports as submitted.

Mr. Toner commented that the Township is fortunate to have three good Chiefs; Police, Fire and Ambulance, that are highly qualified.

Mrs. Gaines, Representing the Historical Commission, announced that the Commission has completed updating the Township Historical Resource Map which lists all historical properties within the Township, and has received an award from the County for being one of thirteen other townships that have completed the task. There are a total of 73 townships that are working on this.

#### **Ordinance No. 2007-02: Sewer Use Ordinance**

This Ordinance was discussed at the last meeting, has been duly advertised, and regulates the discharge into the sewer system. Mr. Donatelli and Tom Brown have both reviewed the Ordinance and recommend it be adopted.

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

#### **Ordinance No. 2007-03: Authorizing Stop Sign on Oxford Ln. @ Ravenwood Dr.**

This Ordinance was discussed at the last meeting and duly advertised.

Mr. Toner made a motion to adopt Ordinance No. 2007-03 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Hankin - Conditional Use Request: Hotel/Condominium**

Neal Fisher from the Hankin Group requested a Conditional Use hearing be scheduled for a new plan that shows a 72 unit condominium building along with a 98 unit hotel in the Eagleview Town Center where they previously presented an 80 unit condo building.

The Hearing was scheduled for August 20, 2007 following the regular Board meeting.

#### **Meeting Date Change:**

The Board of Supervisors meeting for August 13, 2007 is rescheduled for Monday, August 20, 2007.

#### **ANNOUNCEMENTS:**

1. 7/11 - Planning Commission - 7:30 p.m.
2. 7/11 - Historical Commission - 7:30 p.m. @ Cadwalader House
3. 7/25 - Zoning Hearing Board - 7 p.m. - Decision - Hujsak, 202 Allen Dr.
4. 8/01 - Planning Commission - 7:30 p.m.

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

Mr. Toner noted that there were several members from the Ambulance Corps' Executive Board present, and told

them that the Board appreciates all the work they have done recently to improve their relationship with the Township.

Jay Garfinkel, Member of the Ambulance Corps, spoke of an incident that he responded to recently. The ambulance had responded to a man having a heart attack at the high school track. Officer Diane Ahern had responded as well, and had used the AED device on him to restart his heart. The man was then transferred to the hospital where he was told that if it hadn't been for the shock to his heart, he would not have survived. The Board members will pass the story on to Officer Ahern.

**Immediately following the meeting:**

Hearing - Applebee's - Intermunicipal Transfer of a Restaurant Liquor License - Resolution No. 2007-11

There being no other business, Mr. Toner made a motion to adjourn the meeting at 7:55 p.m. Mr. Bozarth seconded and the motion was carried.