

**UWCHLAN TOWNSHIP BOARD OF SUPERVISORS  
MINUTES OF REGULAR MEETING**

**MARCH 10, 2008 / MARCH 24, 2008**

**MARCH 10, 2008 MINUTES**

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 Michael Holmes; Chief Pontarelli and Township Solicitor Guy Donatelli.

Minutes: *The minutes of February 11, 2007 and February 25, 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:**

**REPORTS:**

Police: Chief Pontarelli reported that there were 261 traffic citations issued, 24 criminal arrests and 42 automobile accidents during the month of February and 1,393 complaints made to the police station. He also announced that the Police Department is pleased to welcome newly appointed Officer Ryan Murphy who is a 5 year veteran of the Philadelphia Police Department.

*The Supervisors welcomed Mr. Murphy to the Township.*

Treasurer: Ms. Bernhard reported that for the month of February The Township has collected 15% of its budgeted revenues and spent 15% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of February the Road Department salted the roadways eight times and plowed 2 times, once on the 13<sup>th</sup> and once on the 22<sup>nd</sup> of February; had salt replenished in case of another storm; repaired & replaced signs; and cleaned out various catch basins.

Mr. Toner added that there has been a problem with two lifts in the garage as they are not functioning correctly and the Township has received authorization to replace the lifts from the Township Solicitor in a letter dated March 4, 2008. After receiving numerous bids, the Township has decided to award the job to Melrose Technology.

*Mr. Toner made a motion to approve the replacement of the lifts at a limit of no more than \$16,000 to remove and replace both lifts. Mr. Gaines asked if the new lifts were All-American made. Mr. Toner said that they were, and what the warranty entailed, which is being looked into. Mr. Bozarth seconded the motion and with no public comment the motion was carried.*

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

Daily Average Flow:	
Downingtown	1.65 million gpd

For the second month in a row there were no connections to Downingtown or to the Eagleview plant. The Township has received 5.4 inches of precipitation during February, which is above average thus far.

Mr. Toner added that there are a number of doors at the sanitation department that need to be replaced and the Township will start the bid process to have the work completed.

Fire Marshal: Mr. Holmes reported that he answered 39 fire calls during the month of February, 19 of which were during work hours; reviewed plans for commercial buildings and conducted inspections of those under construction; assisted Road Department 8 times with salting and twice for plowing; and spent approximately 27 hours of work time on Fire Company business. There was one fire investigation at a townhouse in Aspenwood which was believed to be caused by unattended cooking.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. responded to 57 alarms during the month of February which brings the year to date total to 100. 32 of those calls were in Uwchlan Township, bringing the year to date total to 52. He also noted that 11 calls were in Upper Uwchlan, 4 calls were in West Pikeland and 10 in other Townships.

Uwchlan Ambulance Corps: Mr. Toolan reported that the Ambulance Corps responded to 303 calls during the month of February, 95 of which were in Uwchlan Township. Call volume thus far is up compared to last year. The Ambulance Corps also plans to take possession of a new ambulance and trade in an old one by the end of March. The new ambulance is similar to the others.

*The Board accepted the Reports as submitted.*

Hankin - Eagleview Crossing - Submission of Land Development Plan:

Mr. Guarini and Mr. Fisher were in attendance to submit the Preliminary Land Development plan which is consistent with the Conditional Use approval, for review and comment.

*The Township will distribute the plans to the various consultants for review and comment.*

Lionville Fire Company - Truck Funding Request

Mr. Holmes was present to request funding for a new fire truck for Lionville Fire Co. Mr. Toner had previously asked Mr. Hanley to review this request for the actual number since there is an ongoing funding source between the Township and the Fire Co.

*Mr. Toner made a motion to approve the request for \$120,000.00 out of Township funds with half to be paid this budget year and the other half in the next budget year. The funding will be provided by the Township manager as funds are available. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried. A check was presented to Chief Holmes.*

Resolution 2008-07 - Approval of UTIDA Funding for Comunidad Hispanica

Mr. Toner announced that the Township Supervisors have approved the funding in the amount of 2 million dollars loan from the Industrial Development Authority which is a lending institution with a 10 million dollar a year cap. The loan is to provide funding for La Comunidad Hispanica which is a Latino community center in Kennett Square that would like to build a 9,000 sq ft building for self-help and medical care along with pre-natal care, English as a second language, job training and various types of counseling.

*Mr. Toner made a motion to approve Resolution 2008-07 for the approval of the UTIDA loan request for La Comunidad Hispanica. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.*

**ANNOUNCEMENTS:**

1. 3/13 - Historical Commission - 7:30 p.m. - Cadwalader House
2. 3/24 - Board of Supervisors - 7:30 p.m. - Regular Meeting

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

Mr Cooke submitted a Land Development plan for an addition to R&J Automotive located at 561 W.Uwchlan Ave.

Mr. Hanley noted that Mr. Guarini and Mr. Fisher from the Hankin Group were also present to discuss the impact at intersection of Pennsylvania Ave. and Eagleview Blvd. with the opening of Lot 51. It was previously discussed that it would become a 4 way stop while waiting for a traffic signal to be installed which may take some time. Mr. Hanley also mentioned that he met with Dean Kaiser from Orth Rodgers and he suggested leaving the intersection as is unless a problem develops and then proceed to change it to a 4 way stop. Mr. Guarini mentioned that the majority of occupants are already familiar with the intersection and the traffic patterns. Mr. Bozarth suggested that the police monitor the intersection for a few days after the opening of Lot 51 which they agreed to do.

*Mr. Toner made a motion adjourn the meeting at 7:54 p.m. Mr. Bozarth seconded and the motion was carried.*

Respectfully submitted,

Lynda Phiel  
Township Secretary

/tlc

## MARCH 24, 2008 MINUTES

The meeting was called to order at 7:31 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

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

Minutes: *The minutes of March 10, 2008 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:

#### Hankin Group:

1. Request to Install Street Lighting on Wharton Boulevard between Town Center and Shamona South Apartments:

Mr. Guarini requested permission, on the behalf of the Eagleview Homeowners Association, to place 8 street lights along Wharton Blvd. between the Town Center and the apartments. The lights will be of the "candy cane" design similar to those currently in the Town Center and will be placed approximately 150 feet apart and provide lighting for pedestrians walking from the apartments to the Town Center. The Hankin Group and the Homeowners Association will be responsible for installing and maintaining the additional lighting.

Mr. Stubbe has reviewed the plan in his letter of March 21, 2008 and agreed that there is merit in lighting, but had several comments regarding the handling of such lighting. Mr. Guarini said they are willing to work with Mr. Stubbe.

The Supervisors had concerns with approving street lights here while discouraging street lights in other developments. Mr. Gaines said he opposes placement of the lights since it creates an "urban" look. He suggested low walkway lights. Mr. Bozarth agreed that low lights may work better, maybe a style similar to those used at Longwood Gardens. Mr. Guarini agreed to look at alternative lighting.

The Board also suggested that the Hankin Group get input from Chief Pontarelli and Mr. Cooke.

No decision was made. Applicant will return at a later date.

2. Extension of Impact Fee Payment for Lots on Regency Drive:

Mr. Hanley explained that in 1997 when the Hankin Group presented plans for the XL Insurance Daycare on a portion of 26 acres along Regency Dr., Impact Fee rates were determined. In 2006, payment of these fees was extended. The Hankin Group is now requesting another indefinite extension due to the fact that the remainder of the acreage has not been developed.

*Mr. Toner made a motion to extend indefinitely payment of the Impact Fees and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.*

Hopewell United Methodist Church: Request to have Eagles Charity Basketball Game at Downingtown East High School - April 25 from 7-9 p.m.

Johnson Dodla from Hopewell Methodist Church requested permission to host an Eagles Charity Basketball game at the Downingtown East High School. Money collected will fund trips for Hurricane Katrina relief, Good Works, Pittsburgh Project, and other community based organizations in Coatesville and Downingtown. He also requested that two police officers be present during the charity game.

A similar event was held two years ago with no problems. Chief Pontarelli said he has already lined up two officers who will be present during the event.

*Mr. Toner made a motion to approve the charity basketball game and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.*

Building Code Appeals Board: Request to Appoint Rene Hoffman

*Mr. Toner made a motion to appoint Rene Hoffman to the Township Building Code Appeals Board and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.*

The Board asked if this is a yearly appointment. Township staff will verify length of term.

Shops at Lionville Station Road: Tax Over Payment Agreement

The Owner of the Shops at Lionville Station appealed the assessment of their property. As a result, all taxing authorities have been contacted to provide refunds from the last several years. The Township owes them a refund in the amount of \$3,857 but since one of their tenants (American Bar & Grill) have liens against the property placed by the Township for non-payment of sewer, the Township Attorney and Lionville Station Attorney have agreed to offset the

payment against fees owed to the Township in the amount of \$4,232.52. The revised amount now owed to the Township by the American Bar & Grill is \$375.52.

Mr. Gaines questioned how the tenant will pay in the future? If the tenant lapses in payment, how will the Township recoup the money? Mr. Hanley explained that the lien process provides a reliable way of getting paid.

*Mr. Toner made a motion to accept the Attorney's recommendation to accept the agreement as described above, which will offset the refund payment, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.*

Resolution No. 2008-08: Appointment of Members to UTIDA

This Resolution affirms the appointment of the members of the Board of Directors of the Uwchlan Township Industrial Development Authority. Term is for five years.

*Mr. Toner made a motion to adopt Resolution No. 2008-08 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.*

Resolution No. 2008-09: Facilities Use Policy

This item was tabled until a later date when Mr. Donatelli is present.

Addition to Road Program:

Mr. Hanley explained that since the Township has received a good price on road materials this year, we would like to add to the recently approved 2008 Road Program. If approved, the following roads would be added: Denbeigh Ln., Glamorgan Ct., Timberlake Dr., Harshaw Dr., Silver Fox, and Valley View Dr. The addition of these roadways will increase the amount spent by \$230,500.00.

Mr. Toner questioned if the Township has enough manpower and trucks to handle the additional roadways. Mr. Hanley said "yes".

*Mr. Toner made a motion to increase the existing budget by \$230,500 in order to include the above mentioned roads in the Road Program . Mr. Bozarth seconded the motion after adding that the additional funds will come from the General Fund. Mr. Gaines asked for public comment. There being none, the motion was carried.*

ANNOUNCEMENTS:

1. 04/02 - Planning Commission - 7:30 p.m.
2. 04/07 - Park & Recreation - 7:30 p.m.
3. 04/10 - Historical Commission @ Cadwalader House - 7:30 p.m.
4. 04/14 - Board of Supervisors - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

As promised at the last meeting, Mr. Toner researched the warranty on the lifts in the Road Garage, and announced that there is a 1-year warranty on labor and a 2-year warranty on parts.

Also, the Chester County Association of Township Officials held their Spring Convention this past Thursday where they discussed Ethics.

Mr. Toner noted that as a result of an article on War Veterans in the Township's recent newsletter, one person has been interviewed with another lined up to be interviewed.

*There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:06 p.m. Mr. Bozarth seconded and the motion was carried.*

Respectfully submitted,

Lynda Phiel  
Township Secretary

/jlc