

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES May 2005

May 9, 2005 / May 23, 2005

May 9, 2005

The meeting was called to order by Chairman Joseph E. Toner at 7:30 p.m. and the Pledge of Allegiance was recited.

Mr. Toner welcomed Boy Scout Troop #220. He also announced that tonight is Mr. Oeste's last meeting as Township Solicitor.

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; Township Treasurer Susan Bernhard; Fire Marshal Michael Holmes; Township Solicitor Tom Oeste and Lieutenant Pontarelli.

Minutes: The minutes of April 25, 2005 were approved by a motion made by Mr. Bozarth and seconded by Mr. Gaines. Mr. Toner asked for public comment. There being none, the motion was carried.

BUSINESS:

REPORTS:

Police: Lieutenant Pontarelli reported that there were 414 traffic citations issued, 32 criminal arrests and 36 automobile accidents during the month of April.

The Board asked for a profile of the calls answered by the Department. Lieutenant Pontarelli said they are a mixture of information sought and service.

Mr. Gaines commended the Police once again on their truck detail along Route 100, which resulted in some vehicles being put out of service due to safety concerns.

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

Funds	Revenues	Expenses
General	\$651,547.22	\$544,365.62
Hydrant	30,375.89	22,545.89
State Liquid Fuel	30.80	7,970.00
Sewer	426,694.60	61,622.16

Ms. Bernhard reported that the Township has collected approximately 33% of its budgeted revenues and spent about 31% of its budgeted expenditures. She also said that she is still waiting for EMS tax amounts and some real estate taxes.

Road Department: Mr. Hanley reported that for the month of April the Road Department repaired a sinkhole on Bausman Rd.; installed new drainage system along the upper portion of Taylor Rd.; cleaned catch basins; and serviced and repaired various equipment.

He also reported that the Department will begin working on the lower portion of Taylor Rd. near Nancy Jane Lane once the Township Engineer determines what is required.

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

Daily Average Flow:

Downingtown 2.1 million gpd

There were 3 new sewer connections to DARA and 16 to the Eagleview Plant for the month of April.

The Township has received 4.85 inches of precipitation during April. There currently is a surplus of 4 inches YTD.

Fire Marshal: Mr. Holmes reported that during the month of April he answered 38 fire calls, 22 of which were during work hours; reviewed plans for commercial buildings and conducted inspections of those under construction; performed fire inspections and spent approximately 9 hours of work time performing fire department related work. Mr. Holmes also was tested and received certification as a Commercial Mechanical Inspector.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. answered 60 alarms during the month of April, 29 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Durr reported that during the month of April the Ambulance Corps responded to 191 calls, 64 of which were in Uwchlan Township.

Facilities Committee: Mr. Gaines reported that the Township is still in the "planning stage" as to the improvements to the Administration Building. The roofing project, however, is expected to commence in early

June. This project will require closing the main entrance and driveway to the building. A temporary entrance will be provided through the meeting room located at the rear of the building.
The Board accepted the Reports as submitted.

Ordinances:

1. No. 2005-02: Stormwater Management Ordinance

The Chester County Planning Commission has recommended approval for this Ordinance.

Mr. Bozarth made a motion to adopt Ordinance No. 2005-02 and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

2. No. 2005-03: Establishing Minimum Regulations Applicable to Emergency Communications Systems

This Ordinance regulates the placement of transmitters in any new commercial buildings within the Township, which would allow for better reception if and when emergency personnel are inside a building and using a radio.

Mr. Bozarth made a motion to adopt Ordinance No. 2005-03 and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Resignation: Board of Auditors - Ted Karwat

The formal letter of resignation has yet to be received. This item was tabled until the next meeting.

Appointments:

1. Municipal Authority

2. Traffic Impact Committee

Mr. Gaines made a motion to appoint Joe Ferry to the Municipal Authority and Traffic Impact Committee and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Summer Meeting Schedule:

The summer Board meetings are scheduled for June 13th, July 11th and August 8, 2005. Mr. Bozarth suggested that the meeting room be kept open on dates corresponding to the 2nd meeting of the month in case other business comes up later in the month that would require the Board to meet.

Mr. Gaines made a motion to approve the three dates for summer meetings with the clause that if any other business comes up, a second meeting may be scheduled and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Plans:

1. Grant - 3 Lot - Milford Rd.: Time Extension - 5/7/06

The Township has received a 360 day extension through May 7, 2006 for this 3 lot subdivision on the 10 acre Grant property located on N. Milford Rd.

Mr. Bozarth made a motion to accept the time extension and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

2. McFadden: Sewer Module Approval

The sewer application for the McFadden subdivision located at Lionville Station Rd./Byers Rd. will be sent to DEP for approval, but needs to be signed by the Chairman of the Board of Supervisors.

Mr. Gaines made a motion to approve the sewer module and allow Mr. Toner to sign the document before the Township forwards it to DEP. Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

3. Old Village Plaza: Final Approval (Resolution No. 2005-16)

Dan Meier of Chester Valley Engineers presented the final plan showing the existing building and a new 9,000 s.f. strip center with at least 4 separate uses along Route 100 where the former Lion Share restaurant was located. Expected uses for the strip center are Dunkin Donuts, a dry cleaner and a nail salon. Two restaurants are expected to locate in the existing building. The main entrance from Route 100 will remain as is but the one along S. Village Ave. will be moved to Andover Dr.

The Applicant has received review letters from E.B. Walsh dated April 28, 2005; Gannett Fleming dated April 28, 2005; Stanley Stubbe dated April 25, 2005 and the Fire Marshal dated April 25, 2005; all of which had minor comments. All comments in reviews have been or will be addressed by the Applicant.

The Board members requested that all drawing sets show the stormwater flow/drainage with the plan set. Mr. Meier agreed.

Mr. Bozarth made a motion to approve the final plan (Resolution No. 2005-16) contingent on the reviews from E.B. Walsh dated April 28, 2005; Gannett Fleming dated April 28, 2005; Stanley Stubbe dated April 25, 2005; the Fire Marshal's review of April 25, 2005; and all the comments noted in the Planning Commission minutes of May 4, 2005. Approval is also contingent on the lighting of the property being determined through a meeting with the Township and the Lighting consultants and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Cooke commented that the Applicant should consider his time frame since extensions will be required for him due to the fact that the Applicant is waiting for PennDOT and the Chester Co. Conservation District approval of the plan. Mr. Meier requested that the Resolution allow 180 days for submission of escrows.

Mr. Gaines made a motion to grant the 180-day time frame and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

4. Dewees- Township Line Rd.: Preliminary Approval

Dave Beideman, Engineer, presented the preliminary plan for this 3-lot subdivision with on-site water and sewer on 4.5 acres located along Township Line Rd. @ Byers Rd. The Applicant has received reviews from E.B. Walsh dated April 25, 2005; Gannett Fleming dated April 18, 2005 and the Township Fire Marshal dated April 19, 2005; all of which had minor comments that will be addressed by the Applicant.

As discussed at the Planning Commission meeting, Mr. Beideman agreed to locate the recharge basin inlet in the blacktop area.

Mr. Bozarth made a motion to give preliminary approval of the Dewees plan contingent on compliance with items contained in the Walsh review of April 25, 2005; Gannett Fleming dated April 18, 2005; the Fire Marshal review of April 19, 2005 and agreement to contribute to the various Township Impact Funds. Mr. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 5/12 - Historical Commission @ Cadwalader House - 7:30 p.m.
2. 5/18 - Zoning Hearing Board - Dowlin Forge Rd. (Jerry Myers) - Variance - 7:00 p.m.
3. 5/23 - Board of Supervisors - Regular Meeting - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Oeste said that there is another Ordinance (Ordinance No. 2005-04) related to the Stormwater Management Ordinance adopted earlier in the meeting that needs to be adopted. It amends the Subdivision & Land Development Ordinance of 1979 by deleting Section 508 regulating storm drainage and incorporating by reference the requirements of the Uwchlan Township Stormwater Management Ordinance.

Mr. Bozarth made a motion to adopt Ordinance No. 2005-04 and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

The Township has received a letter from Tim Townes requesting a date be scheduled for a Conditional Use Hearing for a hamburger restaurant proposed to be built on Eagleview Blvd/Ruark Rd. The Hearing was scheduled for June 13, 2005 immediately following the regular meeting.

The Boy Scouts thanked the Township for providing mulch for the flower beds at the Church of the Resurrection.

Mr. Oeste thanked the Township staff for allowing him to serve as Township Solicitor for the last 15 years. He said he enjoyed working with the staff and will miss all. He also mentioned that Uwchlan Township has the best trail system in the area.

Mr. Toner, on behalf of the Township Supervisors and staff, presented Mr. Oeste with a memento and gift recognizing his contributions during the last 15 years.

Guy Donatelli was introduced as Mr. Oeste's replacement.

There being no other business, Mr. Bozarth made a motion to adjourn the meeting at 8:10 p.m. Mr. Gaines seconded and the motion was carried.

May 23, 2005

The meeting was called to order by Chairman Joseph E. Toner at 7:30 p.m. 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 Township Solicitor Guy Donatelli.

Mr. Toner welcomed the Boy Scouts. He also introduced Guy Donatelli as the newly appointed Township Solicitor.

Minutes: The minutes of May 9, 2005 were approved by a motion made by Mr. Bozarth and seconded by Mr. Gaines. Mr. Toner asked for public comment. There being none, the motion was carried.

BUSINESS:

ARC Investments - 20 N. Village Ave.: Request for 90-day Extension on Resolution for Plan Approval Requirement to Post Escrow

The Township has received a letter from Gene Richards requesting this extension.

Mr. Bozarth made a motion to grant the 90-day extension and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Bozarth made the suggestion that the Resolution for Plan Approval be amended to allow a longer time frame since many of the regulating agencies have been taking a long time to get back with their reviews.

After a brief discussion, Mr. Gaines made a motion to extend the time period to post escrow from 90 days to 180 days for all plan approvals and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

New Seasons - 600 N. Pottstown Pike: Request to Fly 10 New Flags for 90 Days as Part of Their 5th Anniversary

The Township has received a letter from the New Seasons General Manager requesting permission to fly the flags for a 3 month period of time.

Mr. Bozarth made a motion to approve the additional flags but for only a 2-week period. Mr. Gaines seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Toner asked if the flags flying at Cadwalader are legal. Mr. Cooke said "yes".

DASD - Shamona Creek Elementary School Renovation/Expansion: Plan Submission

Gil Lapano presented the plan to enlarge/renovate the Shamona Creek Elementary School. The current modulars will be replaced with 4 permanent pre-cast classrooms. Also planned is a gymnasium, additional parking and a new circulation plan, and an instructional center. The building will be fully sprinkled. All of the renovations will be phased.

Mr. Gaines asked if there still is a mold problem at the school. Mr. Lapano said that by putting on a new roof, gutters and down-spouts, and improving the HVAC system they have alleviated that problem.

The plan will be sent out for reviews.

Mr. Toner announced that no letter of resignation has been received from Ted Karwat who resigned as Auditor a few months ago. He asked that Mr. Donatelli look into how the Township declares a vacancy without the letter. He agreed to research and get back with an answer before the next meeting.

ANNOUNCEMENTS:

1. 06/01 - Municipal Authority - 7:15 p.m.
2. 06/01 - Planning Commission Meeting - 7:30 p.m.
3. 06/06 - Park and Recreation Board Meeting - 7:30 p.m.
4. 06/09 - Historical Commission - 7:30 p.m. - Cadwalader House
5. 06/13 - Board of Supervisors Regular Meeting - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

The Boy Scout Leader asked the Board to describe what decisions they are responsible for. The members answered that they meet twice a month during the year with the first meeting containing reports from the Police, Treasurer, Road Dept., Sanitation Dept., Fire Co. and Ambulance Corps. During the summer months, the Board meets only once a month. Responsibilities include most things that would affect you at your home, i.e. taxes, snow removal, trash pickup, etc.

One of the Scouts asked how it is determined what school a student goes to? Mr. Donatelli answered by stating that the Township has nothing to do with that decision. The Downingtown Area School District makes the decision based on state law that is adjusted for safety of the students. Also, they strive to have equal numbers in all of the schools.

There being no other business, Mr. Gaines made a motion to adjourn the meeting at 7:56 p.m. Mr. Bozarth seconded and the motion was carried.