

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

MEETING MINUTES May 2006

May 08, 2006 / May 22, 2006

May 8, 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 Susan Bernhard; Township Solicitor Guy Donatelli and Lieutenant Pontarelli.

Mr. Gaines announced that the Board was in an Executive Session immediately prior to the meeting to discuss a personnel item and potential litigation.

Minutes: The minutes of April 10, 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:

REPORTS:

Police: Lieutenant Pontarelli reported that there were 299 traffic citations issued, 24 criminal arrests and 30 auto accidents during the month of April.

The Board members questioned whether the Department had arrested anyone for setting the various fires in the Rhondda development? The Lieutenant said the fires are still under investigation and there have been no further leads.

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

Fund	Revenues	Expenses
General	\$811,083.24	\$590,680.65
Hydrant	31,101.55	7,866.00
State Liquid Fuel	362,024.52	-0-
Sewer	314,135.11	333,550.77

Ms. Bernhard reported that the Township has collected 35% of its budgeted revenues and spent 32% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of April the Road Department cleaned catch basins in the Welsh Ayres development; installed a storm pipe at 428 Forge Ln.; repaired catch basins and sinkholes on Buggy Way, Charles Dr., Nancy Jane Ln. and Wagon Trail Way; performed state inspections and vehicle maintenance; and serviced and repaired various equipment.

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

Daily Average Flow:

Downingtown 1.74 million gpd

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

The Township has received 4.21 inches of precipitation during April. Year-to-date, there is a deficit of 1.9 inches.

Fire Marshal: Mr. Holmes reported that he answered 30 fire calls during the month of April, 15 of which were during work hours; reviewed plans for commercial buildings and conducted inspections of those under construction; performed 5 fire investigations, 4 of which are suspicious; and spent approximately 8 hours of work time handling Fire Department activity.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. answered 58 alarms during the month of April, 30 of which were in Uwchlan Township.

Uwchlan Ambulance Corps: Mr. Durr reported that during the month of April the Ambulance Corps responded to 247 calls, 67 of which were in Uwchlan Township. He also noted that the numbers seem to be up from last year.

Mr. Durr announced that the Board will be shortly receiving information from the Ambulance Corps which will help in determining the Township's annual contribution.

Facilities Committee: Mr. Gaines announced that there was a pre-bid meeting held on Monday, May 1, 2006 for contractors interested in bidding on the Administrative Building renovations. Bids will be received on May 22nd and awarded on May 26, 2006.

The Board accepted the Reports as submitted.

Request to Purchase New John Deere Commercial Tractor with Attachments:

Jeff Gottier, Parks Department, requested permission to replace an 18 year old commercial tractor with a new John Deere tractor with attachments through State contract at the cost of \$55,559.25.

Mr. Toner asked when delivery is expected. Mr. Gottier answered that immediate delivery is expected from John Deere, but it will take approximately 1 month to have the attachments installed.

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

Time Extensions:

1. Tennis Addiction - June 15, 2006:

2. Wawa - July 24, 2006:

The Township has received letters from the Attorneys granting extensions for the above listed projects.

Mr. Toner made a motion to approve the time extensions for both Wawa and Tennis Addiction and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Swiss Farm Stores: Requests for On-site Signage and Formal Grand Opening on May 20, 2006

Ed Constantini, President of Swiss Farms and his associate, Mr. Coldwell, requested permission to hold a formal grand opening on May 20, 2006 for the store located on Eagleview Blvd., and allow for the inflatable cow to remain on top of the building through the grand opening. The event will be held from 10:00 a.m. to 2:00 p.m. and be picnic-like with pony rides, sports teams, and various food vendors.

The Board members asked if the inflatable cow would be removed soon since the Township has strict sign regulations and does not allow for such advertisement. Mr. Constantini said they have provided the Zoning office with all the information for the signage including details for its removal.

Mr. Toner made a motion to approve the formal Grand Opening scheduled for May 20, 2006 from 10:00 a.m. to 2:00 p.m. as long as signage details are approved by Mr. Cooke and the inflatable cow is removed immediately after the Grand Opening. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

DARA - Two Agreements:

1. Amendment 4 to the Municipal Agreement

2. Sale of Allocation Agreement

Mr. Hanley reported that after approximately 7 years of work, these agreements have been finalized. The Amendment frees up 300,000 gallons of excess sewer capacity to be divided and used by each municipality within DARA. The Sale of Allocation Agreement outlines the method of calculating the cost of future sales of capacity between the parties.

The Board members discussed briefly their dissatisfaction with the method of calculating the cost of future sales of capacity saying that it produces an overly excessive cost. They requested a letter be sent to DARA expressing their concern.

Mr. Bozarth made a motion to approve both Agreements with the proviso that the Township send a letter to DARA expressing their dissatisfaction with the cost of future sales of capacity and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Historical Commission's Request to Close a Portion of Dowlin Forge Rd. during their Walking Tour - Thursday, June 22, 2006, 5:45 p.m.-8:15 p.m.:

The Walking Tour is part of the Chester County Walking Tour. The Historical Commission will contact the Police Dept. to discuss their specific police needs during the walk.

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

Summer Schedule:

The Summer meeting schedule will be as follows:

June 12, 2006

July 10, 2006

August 14, 2006

All meetings will be held at 7:30 p.m. unless otherwise noted.

ANNOUNCEMENTS:

1. 5/10 - Zoning Hearing Board - 7:00 p.m. - 104 Clydesdale Ct. - Decision and 273 Spring Run Ln. - Rear Yard Variance
2. 5/11 - Historical Commission - Cadwalader House - 7:30 p.m.
3. 5/22 - Board of Supervisors - 7:30 p.m.
4. 5/23 - Zoning Hearing Board - 7:00 p.m. - T-Mobile Tower - Variance Request

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT

Mr. Bozarth announced that on May 10th he will be sitting in for Mr. Gaines at the Meet the Supervisor meeting. He also thanked the Ambulance Corps for responding to a family emergency he had over the weekend.

Mr. Durr thanked Mr. Hanley for curbing costs to Uwchlan Township residents.

After the Meeting: T-Mobile Northeast, LLC - Conditional Use Hearing - Tower at 426 Dowlin Forge Rd.

There being no other business, Mr. Bozarth made a motion to adjourn at 8:00 p.m. Mr. Toner seconded, and the motion was carried.

May 22, 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, 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 Davis.

Mr. Gaines welcomed the Boy Scouts to the meeting. He also noted that at 3:00 p.m. today the Township received bids for the Administration Renovation project, which will be awarded on May 26, 2006 at 9:00 a.m. during a special meeting.

Minutes: The minutes of May 8, 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

Special Requests:

1. Williamsburg HOA: Movie Night 7/7/06 Beginning at 9:00 p.m.

The Township has received a letter from Traci Carneglia of the Williamsburg HOA requesting permission to hold a Movie Night on the ballfield of the Williamsburg Park. The event will be run identical to the one held last year.

After a brief discussion, Mr. Bozarth made a motion to approve the request with the following conditions:

- Orientation of the speakers and screen be the least offensive to neighbors.
- No alcohol and/or drugs allowed.
- The HOA provide crowd control and oversee parking.
- Cut off time for event to be determined by Police Chief or his designee.

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

2. Lionville Community Church - Whitford and Crump Roads: Car & Motorcycle Show with Live Music on 9/9/06, 10:00 a.m. - 3:00 p.m.

The minister from Lionville Community Church requested permission to hold this event which will include participation from local car and motorcycle clubs. The Church will notify all the neighbors of the festivities.

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

Historical Commission Resignation: Susannah Brody (30 years)

Susannah Brody, a 30-year member of the Historical Commission, has submitted her letter of resignation, effective immediately. She indicated that she will be available for special projects but will be excused from the Commission's monthly meetings.

Mr. Toner made a motion to regretfully accept Ms. Brody's resignation from the Historical Commission and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Proposed Ordinance: Restricting Parking on the West Side of Wharton Blvd. 50 Feet North of the End of its Corner Radius with Ferncastle Dr.

John Caruolo, Township Traffic Engineer, has recommended that parking be restricted on the west side of Wharton Blvd. near Ferncastle Dr. due to poor site distance problems.

The Board agreed that the Township should proceed.

Schedule Conditional Use Hearing - 256 Welsh Pool Rd.: Motorcycle Mechanics Institute

The Township has received a letter from Melissa Massini, of First Industrial Realty Trust Inc., requesting a Conditional Use Hearing to allow for a Senior Motorcycle Mechanics School at 256 Welsh Pool Rd.

The Board members questioned whether this was a permitted use or not. Mr. Cooke answered that it is not mentioned as a permitted use in the Zoning Ordinance, but the Applicant says it is a use "of the same general character as a permitted use".

The Hearing was scheduled for June 12, 2006 immediately following the regular meeting.

ANNOUNCEMENTS:

1. 05/23 - Zoning Hearing Board - T-Mobile Tower - Height Variance, 426 Dowlin Forge Rd. - 7:00 p.m.
2. 05/26 - Board of Supervisors Special Meeting - 9:00 a.m.
3. 06/07 - Planning Commission - 7:30 p.m.

4. 06/08 - Historical Commission - Cadwalader House - 7:30 p.m.
5. 06/12 - Board of Supervisors - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Toner asked Chief Davis to follow up on the barking dog situation on Somerset Ct. and the racing of cars along Woodland Dr., both which were mentioned in the Police Chief's monthly report.

The Boy Scouts asked the Board the following:

1. Is there an overpopulation of geese?

Mr. Gaines explained that the Township once had a big problem with the geese, especially in the parks and on the administrative property. However, in 2005, the Township purchased a border collie named Grace, who is specifically trained to chase geese off the property.

2. What is an average day in the life of a Supervisor?

The Board members explained that their position is not full-time. The daily activities of the Township are handled by Township staff, although residents have the option of calling the individual Supervisors if they choose. They further explained that they approve expenditures, attend meetings and make various decisions.

3. Did "scouting" prepare you for this job?

Yes. Scouting prepares you for any occupation by building character.

4. What process does a developer have to go through to get approval for a new development?

Mr. Cooke explained that the plans are first seen by the Planning Commission, who make recommendations to the Board of Supervisors. All plans must meet the requirements of the Township Zoning Ordinances as well as State and County regulations, and have minimal impact on the Community. The process could take up to 1 year.

5. Have the police caught the person(s) responsible for the fires in Rhondda?

Chief Davis said they have offered a reward for information leading to the arrest of those responsible, but are currently still conducting their investigation.

6. Does the Township have a budget?

Yes. Every year the Township Manager and Township Treasurer work diligently in preparing the yearly budget, which is then approved by the Board of Supervisors. The Township, on average, spends about \$10 million/yr. The Board also explained that a homeowner pays three taxes: School District, County and Township. The average homeowner pays approximately \$23/yr. for their Township tax.

7. Do businesses need licences?

The Township does not require a business to be licensed but does control where certain types of businesses are permitted to exist through the Zoning of the area.

A Bauman Cr. resident asked what recourse he has regarding a pipeline company clear cutting the area behind his home and severely changing the landscape? Mr. Cooke explained that the regulations for the pipeline maintenance are federally mandated. Post 911, all pipelines must be viewable from the air. Any additional information must come from the pipeline company.

One of the Scoutmasters thanked the Board for taking the time to answer the Boy Scout's questions.

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