



Upper Uwchlan Township
Board of Supervisors
Regular Meeting
December 20, 2010

Approved

In Attendance:

Board of Supervisors

Guy A. Donatelli, Chairperson
Catherine A. Tomlinson, Vice-Chairperson
Kevin C. Kerr, Member

Township Administration

Cary Vargo, Township Manager
John DeMarco, Chief of Police
Karen Wertz, Treasurer
Al Gaspari, Codes Administrator
David Leh, P. E. – Gilmore & Associates

Mr. Donatelli called the meeting to order at 7: 00 p.m., led the salute to the flag and offered a moment of silence.

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mr. Kerr, to approve as presented the minutes of the November 15, 2010 Board of Supervisors' meeting. The Motion carried unanimously.

Approval of Payments

Mr. Donatelli noted that the payment for the Toters will be voided and a new check will be cut to National Penn Bank in the same amount of \$100,610. Mr. Donatelli abstained from check #10002 because it is a client. Mr. Kerr moved, seconded by Mrs. Tomlinson to pay all vendors as listed December 19 - 25, 2010. The Motion carried unanimously.

Treasurer's Report

Karen Wertz reported that the Finance Department has completed the Uniform & Non-Uniform Employee Pension audits and there were no significant findings. Our accounts are favorable to budget by \$588,000 primarily due to stronger-than-budgeted Earned Income (\$331,000), signal reimbursement (\$80,000), lower engineering (\$104,000) and timing of Medical payments (\$80,000).

Mr. Donatelli moved, seconded by Mr. Kerr, to accept the Treasurer's Report. The Motion carried unanimously.

Supervisors Report

Mr. Donatelli announced that an Executive Session was held on December 14, 2010 regarding personnel.

Tom Baynard presented the Eagle-Glenmoore Lions Club Alert-Trained Team. Nine of these Alert-Trained members are Upper Uwchlan residents. They have been trained and certified in numerous aspects of emergency response and the Team is a valuable resource for the Township. They will be called upon during local or regional emergency situations. The Board of Supervisors adopted Resolution #12-20-10-35 recognizing and activating the Eagle-Glenmoore Lions Club Alert Team.

Mr. Donatelli read the following Emergency Services reports for the month of November:
Ludwigs Corner Fire Company - 9 fire calls, 6 QRS calls; Lionville Fire Company – 3 fire calls;
East Brandywine Fire Company – 0 Fire, 1 EMS call; Glenmoore Fire Company - 0 fire calls;
Uwchlan Ambulance – 26 calls. Teenaid- 5 calls.

Mr. Donatelli moved, seconded by Mr. Kerr, to accept the Emergency Services report. The Motion carried unanimously.

Mr. Donatelli read the following calendar: December 24 and 31, 2010 Office Closed; January 3, 2011 7:00 p.m. Board of Supervisors' Reorganization Meeting; January 11, 2011 4:00 p.m. Quarterly Joint Boards and Commissions Workshop; January 18, 2011 (Tuesday) 7:00 p.m. Board of Supervisors' Meeting (due to Martin Luther King Jr. Day observed January 17).

Township Engineer's Report

Dave Leh reported that Toll Brothers has placed the wearing course on the roadways in the single family home section of the Ewing development. He also reported that construction has commenced on the Great Country / Grand Sport Auto project.

Building/Codes Department Report

Al Gaspari reported the Department issued 35 building permits in November, with fees totaling \$8,096. Year-to-date permits total 320, bringing \$105,645 in fees.

Police Chief's Report

The Chief reported there were 131 traffic violations, 42 traffic warnings and 15 criminal arrests in November.

Public Works Department

Mike Heckman reported that the Department's activities in November included completing base repairs and crack sealing, PA-1 calls, tree trimming in Eagle Hunt and preparation of equipment for winter.

Land Development

Byers Station Parcel 3 Dedication: The Board was asked to adopt Resolution # 12-20-10-26 accepting the following roads within the Byers Station Subdivision: Sunderland Drive West, Barnsdale Road, Melrose court, Ruby Road, Bonnie Lane and Dartmouth Road. The roadways have been constructed in accordance with Township specifications. Mr. Donatelli moved, seconded by Mr. Kerr, to accept the roadways by adopting Resolution # 12-20-10-26. The Motion carried unanimously.

Brandywine Springs Farm Final Subdivision/Land Development Approval: The Board was asked to review and grant Final Plan Approval for the Brandywine Springs Farm (Shea property) project on Park Road. The Applicant is proposing 8 lots (the existing homestead plus 7 new oversized lots) on a private street contained within a fifty-foot wide easement that will provide access to each lot and end in a cul-de-sac. Each lot will be served by on-lot sanitary systems and private wells. Storm water will be controlled via a series of seepage beds and above-ground basins. The Board granted a Conditional Use Approval for the project November 16, 2009 permitting various encroachments into steep slopes and granted Preliminary Plan Approval April 19, 2010.

The Applicant is requesting a waiver from SLDO Section 162-9.G.(2). which requires any development constructed within 1,500 feet of public water to be serviced by public water. The Lionville Fire Company Chief and the Township Building/Codes Department recommend fire hydrants be established in the development due to the remoteness of the homes. The Township Consultants and Planning Commission have reviewed the Plans and recommended Final Plan Approval.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to grant Final Subdivision and Land Development Approval to the Plan known as Brandywine Springs Farm as prepared by G.D. Houtman & Son dated August 20, 2008 and last revised September 28, 2010, accompanied by the following conditions. The Motion carried unanimously.

1. All improvements shall be completed in accordance with the conditions set forth in the Conditional Use Decision and Order dated November 16, 2009;
2. The plans shall be revised to comply with Gilmore & Associates' review letter dated November 22, 2010.
3. A waiver is granted from Section 162-9.G.(2) which requires all developments located within 1,500 feet of a water supply main to be serviced by public water.
4. A waiver is granted from Section 162-57.D.(1) to allow the existing vegetation located along Park Road to serve as a buffer in lieu of additional plantings.
5. All applicable permits shall be obtained from Pa-DEP, Chester County Conservation District and Chester County Health Department prior to construction.
6. The Applicant agrees to pay a Traffic Impact Fee in the amount of \$11,399.36. The fee shall be paid prior to plans being issued for recording.

Reserve at Waynebrook Escrow Release:

The Board was asked to approve the release of \$500,000 to the David Cutler Group for sanitary sewer work completed for Waynebrook. ARRO Consulting inspected the work, reviewed the escrow release request, and recommends releasing that amount. There is \$910,868 remaining in escrow.

Mrs. Tomlinson moved, seconded by Mr. Kerr, to approve the release of \$500,000 to the Cutler Group. The Motion carried unanimously.

Administration

The Board was requested to adopt the following Resolutions:

1. 2011 Budget: The Board presented the Township Operating Budget for calendar year 2011 totaling \$7,260,901, which includes the General Fund \$5,405,647, Capital Reserve \$1,505,254 and Liquid Fuels \$350,000. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Resolution #12-20-10-27 adopting the \$7,260,901 Budget. The Motion carried unanimously.
2. 2011 Tax Millage: Board established the 2011 Millage Rate at 1.034 mils, consisting of .784 mils for General Purposes and .25 mils for Emergency Services. Mrs. Tomlinson moved, seconded by Mr. Kerr, to adopt Resolution #12-20-10-28 establishing the tax millage rate at 1.034. The Motion carried unanimously.
3. Vehicle Impound Towing and Storage Fee: The Board was requested to designate a towing/storage facility for impounded vehicles and establishing the fees associated with the storage service. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt Resolution #12-20-10-29 establishing Eagle Towing/Eagle Service Center as the impound/storage facility and the towing/storage fee at \$150.00 (48 hours maximum storage). The Motion carried unanimously.
4. 2011 Fee Schedule: The Board was requested to adopt the 2011 Fee schedule, setting fees for building permits, administrative hearings, etc. There were no changes to existing fees, however, there were two additions: Alternative Energy Permits and Administrative Procedure fees. Mrs. Tomlinson moved, seconded by Mr. Kerr, to adopt Resolution #12-20-10-30 establishing the 2011 Fee Schedule. The Motion carried unanimously. The Fee Schedule is posted on the Township website.
5. 2011 Contribution Rate: Pension Plan. The Board was requested to adopt a Resolution formally reducing the pension contribution rate by Uniform (Police) Employees for 2011. The members will continue to contribute 3% of salary. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt Resolutions #12-20-10-31 and

#12-20-10-32 stating the 3% contribution rate for Uniformed Employees and Non-Uniformed Employees, respectively. The Motion carried unanimously.

6. Brandywine-Struble Greenway Initiative Participation: The Board is supportive of and chooses to participate in the Brandywine-Struble Greenway Initiative – an inter-municipal planning and conservation project for the Brandywine Creek greenway corridor, from Chadds Ford to Honey Brook. The Greenway will be an amenity for local residents that is expected to enhance real estate values, promote public health and further the conservation of natural, historic and cultural resources. Each participating Municipality will appoint a representative to attend planning workshops and public meetings over the 2-year planning project. There is no cost to the Township as this Initiative is funded by a Grant. Mr. Donatelli moved, seconded by Ms. Tomlinson, to adopt Resolution #12-20-10-33. The Motion carried unanimously.
7. West Township Line Road Vacation -- Decision & Order, Agreement: The Board was requested to provide a Decision & Order regarding the Bentley Systems / Hankin Group petition to vacate the portion of West Township Line Road between Pennsylvania Drive and Stockton Drive for Bentley to create a corporate campus. A formal Hearing was held on the matter in October 2010 where testimony was heard and public comments were offered. The Board's Order approves the request with a Condition that the roadway vacation will not occur until Bentley Systems receives final land development approval for the construction of a proposed building and parking lot on Lot 5 in Eagleview Corporate Center. Mr. Donatelli moved, seconded by Mr. Kerr, to adopt Resolution #12-20-10-34 and Ordinance #2010-10 which authorize the Agreement between the Township and the Petitioners, and enacts the Township Board of Supervisor's Decision & Order. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to authorize the advertisement of the following Ordinance amendments for consideration at the Board's January 2011 meeting. The Motion carried unanimously.

1. Uniformed Employee Pension Plan Amendment: This proposed ordinance clarifies the definition of salary to exclude the "opt out" incentive for health insurance benefits.
2. Non-Uniformed Employee Pension Plan Amendment: This proposed ordinance clarifies the definition of salary to exclude the "opt out" incentive for health insurance benefits.
3. Snow Removal Ordinance Amendment: This amendment expands the regulation regarding depositing snow or ice onto Township roads.
4. Solid Waste and Recycling Collection Ordinance Amendment: This amendment updates the Ordinance to reflect the current Solid Waste Contract regulations.

Open Session

The Dewees family wished everyone a Merry Christmas & a Happy New Year. No other comments were offered.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli moved, seconded by Mr. Kerr to adjourn at 8:25 p.m. So moved.

Respectfully submitted,

Karen Wertz, Township Treasurer