



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING  
April 25, 2011

**Approved**

Attending:

Board of Supervisors

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

Township Administration

Cary B. Vargo, Township Manager  
Gwen A. Jonik, Township Secretary  
Karen Wertz, CPA – Township Treasurer  
John DeMarco, Police Chief  
Al Gaspari, Codes Administrator  
Mike Heckman, Public Works Director  
Dave Leh, P.E., Gilmore & Associates

Mrs. Tomlinson 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

Mr. Donatelli moved, seconded by Mr. Kerr, to approve as presented the minutes of the March 8, 2011 Supervisors' Workshop. The Motion carried unanimously.

Mr. Donatelli moved, seconded by Mr. Kerr, to approve as presented the minutes of the March 21, 2011 Supervisors' Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr moved, seconded by Mr. Donatelli, to approve the payments to all vendors listed April 24-30, 2011. The Motion carried unanimously.

Treasurer's Report

Karen Wertz reported that delinquent trash accounts total \$70,000, of which \$31,612 has already been liened. During 2010, \$20,000 was collected through the municipal lien process. Delinquent sewer accounts total \$106,119, of which \$40,878 has already been liened. During 2010, \$12,000 was collected through the lien process. The Supervisors unanimously accepted the Treasurer's Report.

Supervisors' Report

Mrs. Tomlinson read the Emergency Services report for the month of March as follows: Ludwigs Corner Fire Company – 3 fire calls, 3 QRS calls; Lionville Fire Company – 7 fire calls; East Brandywine Fire Company – 0 fire calls, 1 EMS call; Glenmoore Fire Company – 1 fire call; Uwchlan Ambulance Corps – 23 calls; Teenaid – 5 calls.

Mrs. Tomlinson read the following calendar: April 27, May 11 and May 25 Yard Waste Collections – use biodegradable bags or open containers (no lids) as these collections are composted; May 10, 2011 4:00 p.m. Board of Supervisors' Workshop; May 16, 2011 6:00-7:00 p.m. Open House at the Public Works Facility – 132 Oscar Way; May 16, 2011 7:00 p.m. Board of Supervisors' Meeting; June 18, 2011 6:00 p.m. Township's 3<sup>rd</sup> annual Block Party.

### Township Engineer's Report

Dave Leh reported that Pulte is working on addressing outstanding items in preparation to dedicate roadways in Windsor Ridge and the Township is working on expanding parking at Fellowship Fields by 35 spaces.

### Building/Codes Department

Al Gaspari reported 30 building permits were issued in March, with related fees totaling \$7,052.00. It has been rumored that Governor Corbett repealed the new law requiring sprinkler system installations in new residential construction, the Park & Rec Board meets tomorrow night, the concrete should be poured tomorrow for the new front steps, and the Odor Control System has been installed at the Route 100 wastewater treatment facility.

### Police Chief's Report

Chief DeMarco reported the Department logged 764 complaints and affected 6 criminal arrests in March, the Department purchased new bio-hazard kits for each Officer thru a PEMA/FEMA Grant, and the K-9 vehicle was rear ended and has been repaired.

### Public Works Report

Mike Heckman reported that during March the Department: continued to work on their new facility, cleaned up the Parks, salted 3 times, patched potholes, completed equipment maintenance; addressed PA-1 calls, cleaned up trails, worked on parking areas at Fellowship Fields, applied new topsoil at Fellowship Fields. Residents are encouraged to attend the Public Works Open House May 16, beginning at 6:00 p.m. We still need seasonal help for mowing and Park maintenance duties through October.

### Land Development

Ted Moser was in attendance to request approval of a lot line change for Greenridge Lots 1 and 2. A mistake was made when Lot 2 was developed and a portion of Lot 2's driveway and propane tank is on or too close to Lot 1. Mr. Donatelli moved, seconded by Mr. Kerr, to grant approval to revise the Greenridge Plan conditioned upon the incorporation of the items noted by Gilmore & Associates and the Planning Commission. The Motion carried unanimously.

### Administration

Mike Heckman reported that bids were received April 20 for bituminous concrete and coarse aggregate materials and after calculating the pricing with time and fuel costs added, he recommends that Glasgow be awarded the bituminous concrete contract as they are low bidder from the Plant, and Hanson Aggregate be awarded the coarse aggregate contract as they are low bidder for that material from the Plant. Mr. Kerr moved, seconded by Mr. Donatelli to award the contracts as recommended by Mr. Heckman. The Motion carried unanimously.

Cary Vargo explained that the Township has been interested in expanding the parking areas at Fellowship Fields and has negotiated an Agreement with Texas Eastern. The Agreement is a 20-year License Agreement to use a portion of Texas Eastern's lands for parking; the fee is \$10.00 for the 20-year term. Mr. Kerr moved, seconded by Mr. Donatelli, to approve the 20-year License Agreement. The Motion carried unanimously.

Byers Group II Conditional Use Decision and Order: Byers Station/Ewing Community Center #2 Tom Kessler (Toll) and Alyson Zarro, Esq. (Riley, Riper, Hollin & Colagreco) were in attendance representing Byers Group II. Cary Vargo summarized the March 21, 2011 Conditional Use Hearing and read the proposed conditions of Approval for Byers Group II: excluding the Evans Barn from "Preservation of Historic Resources" and terminating the Restrictive Covenants for

the Evans Barn; the Township Planning Commission will be provided a set of the building permit application plans to review at their first meeting following the submission to the Codes Department, followed by the Board Of Supervisors' review, if they so choose; during demolition of the Evans Barn, salvageable stones will be incorporated into the new clubhouse/recreation facility or its retaining walls and salvageable wood framing will be donated to the Township for the Township's use, if so desired; an historic marker containing text about the Evans Barn will be prepared and installed on the clubhouse/recreation facility Lot #261; the Evans Springhouse will be improved/maintained; and the Applicant has agreed to complete some off-site improvements at Upland Farm.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to approve the Conditional Use via the aforementioned Decision and Order. Mr. Kerr asked the Planning Commission Chairman, Bob Schoenberger, if the conditions met the recommendations of the Planning Commission. Mr. Schoenberger was not certain that the building permit plans would address the Commission's concerns. A brief discussion followed that the building permit plan submission would detail the buffer (screenings) plans, the plot plan, landscaping and lighting. Pool facilities and related chemical storage would be reviewed and approved by PaDEP. The plans need to meet current codes.

Several Eagle Hunt residents were in attendance to express their concern with noise pollution traveling up the hillside and across the open space from the Community Center to the Eagle Hunt development and could trees be planted along the property line by the Developer to buffer the noise. Mr. Kessler advised the group he may be able to augment the plantings along the clubhouse property but could not commit to planting a tree line on the Ewing/Eagle Hunt property line. The Board encouraged the Eagle Hunt homeowners to plant trees along their property lines as well.

The Motion to approve the Conditional Use Decision and Order as presented this evening carried with 2 ayes and 1 abstention. Mr. Donatelli abstained due to a potential professional conflict of interest.

#### Open Session

No comments were offered.

#### Adjournment

There being no further business to be brought before the Board, Mrs. Tomlinson adjourned the meeting at 8:05 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary