



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING
February 21, 2012 (Tuesday)

Approved

Attending:

Board of Supervisors

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

Township Administration

Cary B. Vargo, Township Manager
Gwen A. Jonik, Township Secretary
John DeMarco, Police Chief
Jill Bukata, C.P.A., Township Treasurer
Mike Heckman, Director of Public Works
Dave Leh, P.E., Gilmore & Associates
Chris Williams, P.E., McMahon Associates

Mr. Kerr called the meeting to order at 7:01 p.m., led the salute to the flag, offered a moment of silence.

Act 209 – Transportation Capital Improvement Plan (TCIP) Revision - Hearing

Mr. Donatelli conducted the Hearing, introducing the following Exhibits:

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| Exhibit 1 | Resolution #10-17-11-13 established the Transportation Impact Fee Advisory Committee (TIFAC) Members |
| Exhibit 2 | January 6, 2012 Letter from Chris Williams updating Transportation Capital Improvement Plan Projects Schedule |
| Exhibit 3 | Proof of Publication of Hearing |

Chris Williams explained the purpose of tonight's Hearing is to formally revise the TCIP Project Schedule. The original TCIP was adopted in 1999 and updated in 2002. The projects listed on the TCIP are to be constructed within 10 years, or completed within 3 years following the 10 years, or the Municipality is required to formally revise the schedule.

The TIFAC held a meeting in November 2011 and in summary, recommends that the construction schedule for the remaining improvements be reset for an additional ten years (2021). This revision affects only the *schedule* of the improvements, not the transportation impact fee or the improvements. No questions were posed by the Supervisors or the Public.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to approve the recommendations of the Transportation Impact Fee Advisory Committee via Resolution #02-21-12-02. The Motion carried unanimously.

Mr. Donatelli thanked the TIFAC Members for their participation in this process: Bob Schoenberger, Linda Layer, John McTear, Bob McHugh, Dave Beideman, Neal Fisher, Cary Vargo and Chris Williams (Committee Consultant).

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve as presented the minutes of the Board of Supervisors' meetings of January 3, January 10 (Workshop) and January 17, 2012. The Motion carried unanimously.

Approval of Payments

Mr. Kerr advised that the payment to Brown's Cleaning Service had been updated to include another invoice and is \$1,760.00, bringing the total expenditures from the General Fund to \$218,948.39. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to pay all vendors as listed February 20-21, 2012. Mr. Donatelli abstained from Check #42388 as it is a Client of his Firm. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the Balance Sheet is strong, Earned Income Tax receipts are ahead of this time last year. Mrs. Tomlinson asked a few questions regarding the percent-of-budget details; Don Carlson commented the Authority would like to see the current delinquent accounts report.

Supervisor's Report

Mr. Kerr announced that Executive Session were held January 17 and February 14, 2012 regarding real estate. Mr. Kerr read the following Emergency Service providers' report: Ludwigs Corner Fire Company – 1 fire call, 4 QRS calls; Lionville Fire Company – 8 fire calls; East Brandywine Fire Company – report wasn't available; Glenmoore Fire Company – 1 fire call; Uwchlan Ambulance Corps – 20 calls; Teenaid – 2 calls; and read the following calendar: February 22, 2012 7:30 p.m. Zoning Hearing Board – Burkey Application; March 13, 2012 4:00 p.m. Board of Supervisors Workshop; March 19, 2012 7:00 p.m. Board of Supervisors Meeting; March 28, 2012 Yard Waste Collection – place materials curbside the night before – use open containers (no lids) or biodegradable bags as this collection is composted.

Administration Reports

Township Engineer's Report

Dave Leh reported an escrow release request has been submitted by Orleans for the Mews in Byers Station; Cary Vargo advised all items will be thoroughly inspected prior to bringing the release request to the Board.

Building/Codes Report

Cary Vargo reported on Al Gaspari's behalf that 21 building permits were issued in January, totaling \$5,923.00 in permit fees.

Police Chief's Report

Chief DeMarco reported that in January, 726 calls were handled, 15 crimes were investigated resulting in 14 arrests, Officer David Stiteler has been sworn in and is training with other Officers and the Police Department is receiving an award from Delaware Valley Insurance Trust regarding the Department's Safety Policy. Mrs. Tomlinson asked if there have been traffic/parking concerns at Liberty Bar & Grill, with Chief DeMarco responding there have been none.

Public Works Report

Mike Heckman reported that Jake Gawry began working full-time in January and the Department's January activities include: rebuilding the oldest dump truck, responding to a few snow/ice events, hauling cinders, acquiring new equipment quotes, rebuilding 3 storm water inlets, painted over the graffiti in the trail tunnel under Graphite Mine Road, mowed the recently dedicated triangle parcel opposite Upland Farms, and used road brine several times instead of having to salt.

Land Development

Hankin / Bentley Systems: Neal Fisher, P.E. (Hankin Group) and Alyson Zarro, Esq. (Riley Riper Hollin and Colagreco) were in attendance. Mr. Kerr summarized the January 17, 2012 Conditional Use Hearing regarding Bentley's request to build an office building up to 45 feet in height in the Eagleview Corporate Center. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve the

Decision & Order granting Conditional Use to permit a proposed three-story building up to forty-five feet in height. Mr. Dennin commented that installation of landscaping between Kendra Drive and the new building would buffer the view, and could the trail be nice installed prior to the Land Development process. Mr. Vargo replied landscaping will be addressed during the Land Development process, and the trail / road improvements are also tied to that process. The Motion approving the Decision & Order carried unanimously.

Administration

Byers Group has offered for dedication to the Township the portion of Station Boulevard between Route 100 and Graphite Mine Road, as well as the portion of Darrell Drive between Route 100 and Graphite Mine Road. The roads were inspected and meet Township requirements.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Resolution #02-21-12-03 accepting dedication of Station Boulevard and Darrell Drive as described above. The Motion carried unanimously.

Cary Vargo asked the Board for authorization to apply for a County Grant for potential acquisition of the Shea Property, for a Park project (preservation of open space) and future wastewater land disposal area. The purchase price is estimated at \$850,000. The property is being formally appraised. Along with the County Grant, we'll also apply for an H2O grant and a DCNR Grant. The proposed funding: 17.5% Township, County and State grants at 57.5%, and 25% Municipal Authority. The Board unanimously authorized submission of the County grant application via Resolution #02-21-12-04.

Mr. Kerr advised that the Township has asked PennDOT to designate and mark Graphite Mine Road as "Route 100 Bypass". Mr. Donatelli moved, seconded by Mrs. Tomlinson to adopt Resolution #02-21-12-05 which authorizes Cary Vargo to sign the PennDOT Agreement to accomplish the request. The Motion carried unanimously.

Mr. Vargo introduced an escrow release request by Fred Gunther that covered the installation of the sub-base of the synthetic turf field at Fellowship Fields. The field has been in use since last Fall and there have been no issues with the field. Mr. Donatelli moved, seconded by Mrs. Tomlinson to release the remaining escrow funds to Mr. Gunther. The Motion carried unanimously.

The Board was requested to release the remaining escrow funds for the CVS project. The Township recently received submission of the as-built drawings and Mr. Zukin requested the remaining \$26,000+ held in escrow. Mrs. Tomlinson moved, seconded by Mr. Kerr, to release those funds. The Motion carried with 2 ayes and 1 abstention (Donatelli – Mr. Zukin is a client of his Firm.)

The Board was requested to release \$409,129.00 to The Cutler Group for wastewater treatment disposal field construction at both Upland Farm and within the Waynebrook development. Mr. Vargo has been monitoring the construction of the three 3 fields and the PaDEP has approved their operation. ARRO Consulting has reviewed the request and recommends the release. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to release the \$409,129.00. Hal Harper commented there are several deep holes in the fields that present safety issues. Mr. Vargo advised they are for the electric boxes and would be filled/closed within a day or two. The Motion to release the escrow funds carried unanimously.

Mr. Vargo explained a Request For Qualifications had taken place for an Architectural Firm to design adaptive re-use of the Upland Farm Barn, including 3-season use for public gatherings – meetings, educational facilities, potential private rental. After receiving over 30 proposals, the

Upland Farm Advisory Committee, advised by several Township consultants, selected Archer & Buchanan Architecture Ltd. Archer & Buchanan presented their proposal to the Board of Supervisors and the contract will total approximately \$48,000.

Mrs. Tomlinson moved, seconded by Mr. Donatelli to award the project to Archer & Buchanan Architecture Ltd. The Motion carried unanimously.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve the sale of the 2005 Ford Crown Victoria advertised through MunicBid to the highest bidder at \$2,050.00 The Motion carried unanimously.

Open Session

Don Carlson commented on the abundance of real estate signs placed on the weekends.

A resident thanked the Board for the availability of Fellowship Fields, and asked if the grounds and fencing at Upland Farm could be spruced up.

Barbara Edwards thanked the Township for delaying the release of the escrow/bond as requested by Orleans for the Mews.

Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 8:06 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary