



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING,
And CONDITIONAL USE HEARING
September 17, 2012
7:00 p.m.

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
Jill Bukata, C.P.A., Township Treasurer
John DeMarco, Police Chief
Mike Heckman, Director of Public Works
Al Gaspari, Codes Administrator
Dave Leh, P.E., Gilmore & Associates

John Good, Esq., Township Solicitor
Sheila Fleming, Brandywine Conservancy
John Snook, Brandywine Conservancy
Bob Wise, Wise Preservation Planning

Mark Hagerty, Court Stenographer
Chris Williams, McMahon Associates
Matt Brown, ARRO

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

Mr. Kevin asked John Good to conduct the third public hearing regarding the Conditional Use Application of Toll PA IV for the Frame Property on Little Conestoga Road. The Applicant had no other witnesses to call at this time.

Mr. Good called upon John Snook, Planner, Brandywine Conservancy. Mr. Snook provided comments regarding site layout, riparian buffers, accessible open space, storm water management measures, open space and trail ownership/maintenance, and provision of adequate recreational areas.

Mr. Snook also suggested the proposed trail be relocated to and built around the historic farm property and go through the narrow point of wetlands before heading toward the Shea property.

Mr. Good called upon Matt Brown, P.E., ARRO, who provided comments regarding wastewater treatment and disposal facilities for this proposed development. Toll's proposal includes treatment at the Route 100 Centralized Treatment Facility on Fellowship Road and disposal in Toll's existing fields within the Reserve at Eagle, Byers Station and the Ewing Tract. There currently is not enough treatment capacity in the Route 100 Facility – Phase II needs to be constructed for adequate treatment capacity.

Mr. Good, upon agreement by the Supervisors, advised the Hearing would be continued to Monday, October 15, 7:00 p.m.

Mr. Kerr announced a 5-minute recess would occur before moving to the regular business meeting.

Mr. Kerr called the regular business meeting to order at 7:56 p.m. and advised Land Development would be the first topic.

Neal Fisher of Hankin Group reviewed the land development plan for ViroPharma's expansion at Eagleview's Lots 10-11, proposing an additional 56,000 SF building and a 14,000 SF building linking to the existing building on Lot 10. Mr. Fisher seeks approval this evening of several waivers regarding the Plans such as sheet size, water supply study, storm water basin depth, riparian buffer encroachment and hydric soil disturbance. Bob Schoenberger, Planning Commission Chair, advised the Commission had reviewed and discussed the Plan, and recommends approval of the waivers by the Board.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve the following five (5) waivers, and to "hold in reserve" 85 parking spaces to be constructed only if needed in the future. The Motion carried unanimously.

1. Section 162-9.C.(1).(b) waived to allow plan sheets larger than 24" x 36".
2. Section 162-9.G waived from the requirement of providing a public water supply study.
3. Section 162-51.H.(8).(a) waived to permit the maximum depth of water in a detention basin to exceed two (2) feet for a 2-year frequency storm and five (5) feet for a 100-year frequency storm. Storm water infrastructure was constructed as part of the original building.
4. Section 162 regarding disturbance of hydric soils is waived as the hydric soil areas have previously been disturbed in order to construct the existing storm water infrastructure.
5. Section 162-55.D.(1) waived from the requirement to map the riparian buffers as they were already included as part of the original building plan.

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve as presented the minutes of the August 14, 2012 Supervisors' Workshop and the August 20, 2012 Supervisors' Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Kerr announced the payments from the General Fund totaled \$397,772.31, Capital Fund \$8,145.57, Liquid Fuels Fund \$255,382.17, and the Solid Waste Fund \$52,753.46. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to pay the vendors as listed. The Motion carried unanimously.

Mrs. Tomlinson asked when 2013 Budget work would begin. Mr. Vargo advised the Staff is drafting the budget and formal discussions will begin in October.

Treasurer's Report

Jill Bukata reported our Solicitor issued 36 liens for delinquent sewer accounts, finances are running close to budget, and delinquent engineering bills are slowly being paid.

Supervisor's Report

Mr. Kerr announced an Executive Session had been held September 11, 2012 regarding legal, real estate and personnel matters.

Mr. Kerr read the following Emergency Service Providers Report for August: Ludwigs Corner Fire Company – 9 fire calls, 8 QRS calls; Lionville Fire Company -- 4 fire calls; East Brandywine Fire Company – report not received; Glenmoore Fire Company – report not received; Uwchlan Ambulance Corps – 27 calls; and Teenaid – 4 calls.

Mr. Kerr announced the following calendar: September 19, 2012 Yard Waste Collection; October 3, 2012 Yard Waste Collection; October 9, 2012 4:00 p.m. Board of Supervisors' Workshop; October 15, 2012 7:00 p.m. Board of Supervisors' Meeting; and October 17, 2012 Yard Waste Collection.

Administration Reports

Township Engineer's Report

Dave Leh reported approval has been received from the DEP and the County Conservation District to reestablish a swale between the secondary culvert under St. Andrews Road and the Blackhorse Creek, to eliminate the runoff which currently ponds just below St. Andrews Road.

Building and Codes Department Report

Al Gaspari reported 21 building permits were issued in August, totaling \$4,999 in permit fees. Resale Use & Occupancy Inspections and several new construction inspections totaled \$7,000 for the Department.

Several new businesses are moving into the area – a music center in The Eagle Shops, and Graco into Eagleview. The Township Building has been repainted, the Schoolhouse floor renovation will be scheduled this Fall, and temporary electric service has been provided to the pavilion at Fellowship Fields.

Police Chief's Report

Chief DeMarco reported the Department handled 748 incidents; 12 criminal arrests which were mainly DUIs; and the beginning of the school year has gone smoothly.

Public Works Department

Mike Heckman reported the road paving is done; the adaptive traffic signal program installation is underway – awaiting the software installation; roadway line painting should be completed by the end of this week or beginning of next week.

ADMINISTRATION

Each year, the Township must approve the next year's Pension Plan Funding. For 2013, the minimal municipal obligation (Act 44 figures) for the uniformed (Police) pension is \$150,736 and non-uniformed pension is \$72,708. The Township also receives a "market value" figure for each pension plan – uniformed \$177,548 and non-uniformed \$78,208. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to budget for and pay the "market value" figures, if possible. Otherwise the MMO figures will be paid. The Motion carried unanimously.

Mike Heckman summarized the snow removal contract bid results and recommended the Contracts be awarded as follows. We are (2) Dump Trucks short.

P.J. Reilly – (2) 10-ton, 6-yard Dump Trucks w/snow plow and salt spreader

Mulch & More – (5) 4-wheel drive Pick Up Trucks

P.J. Reilly – (1) 4-wheel drive Pick Up Truck

Greiner Inc. will assist if we get in a pinch and they have trucks available

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to award the Contracts as recommended. So moved.

Mr. Kerr advised a 2008 Ford Crown Victoria used by the police department was removed from service and was posted for sale on Municibid. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to approve the sale of the vehicle to the highest bidder for \$3,855.10. The Motion carried unanimously.

The Board was requested to adopt a Resolution authorizing the disposal of Township Records in accordance with the Pennsylvania Historic and Museum Commission's guidelines. These records are administrative in nature and do not need to be retained permanently. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Resolution #09-17-12-11, authorizing the proper disposal of Township Records. The Motion carried unanimously.

The Board was requested to adopt a Resolution authorizing the disposal of Township personal property, namely several computers used in administration that were recently replaced. The computers will be properly recycled or donated. Mrs. Tomlinson moved, seconded by Mr. Donatelli, to adopt Resolution # 09-17-12-12, authorizing the computer disposal. The Motion carried unanimously.

Open Session

Sally Winterton asked about the records disposal procedure.

Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 8:37 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary