



Upper Uwchlan Township  
Board of Supervisors  
Regular Meeting  
February 16, 2010

In Attendance:

Board of Supervisors

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

Township Administration

Cary Vargo, Township Manager  
Gwen Jonik, Township Secretary  
Karen Wertz, Treasurer  
Cheryl Neri, Assistant Treasurer  
Al Gaspari, Codes Administrator  
Mike Heckman, Public Works Director  
John DeMarco, Police Chief  
Dave Leh, P.E., Gilmore & Associates  
Chris Williams, P.E., McMahan Associates  
John E. Good, Esq., Township Solicitor  
William Handy, Court Stenographer

Mr. Donatelli called the meeting to order at 7:02 p.m., led the salute to the flag and offered a moment of silence.

Mr. Donatelli announced several additions to the published agenda for this evening: consideration of an addendum to the Police Contract; and appointments to Boards and Commissions, as follows.

The Board met with Tom Kelly and Bernie Carroll to discuss their interest in volunteering on the Emergency Management Planning Commission, and Kevin Sherman, who is interested in serving on the Historic Commission. Their interests, experiences and skills make them fine candidates to serve on the respective Commissions. Mrs. Tomlinson moved, seconded by Mr. Kerr, to appoint Tom and Bernie to the Emergency Management Planning Commission and appoint Kevin to the Historic Commission. So moved.

Mr. Donatelli announced that Executive Sessions were held February 9 and 16 regarding real estate and personnel matters.

Mr. Donatelli turned the meeting over to John Good to conduct a Conditional Use Hearing for Gunner Properties – Grand Sport Auto, seeking approval to operate an auto repair business within the Limited Industrial District. A court stenographer was present to record the proceedings. Exhibits were noted, Applicant--Fred Gunther provided testimony, citizens posed several questions, and the Hearing was closed. Mr. Good announced the Board of Supervisors has 45 days to render and distribute a decision for this application.

Approval of Minutes

Mr. Kerr moved, seconded by Mrs. Tomlinson, to approve as presented the minutes of the January 19, 2010 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mrs. Tomlinson moved, seconded by Mr. Kerr, to approve payments to all vendors as listed February 14 – 20, 2010. Mr. Donatelli abstained from Check #18569 as it is a client of his Firm. The Motion carried unanimously.

### Treasurer's Report

Karen Wertz reported the 2009 financial reports are nearly complete. The Finance Department is working on investigating automation through our banking system, has completed the transfer of funds from the Municipal Authority to the Township for salaries, and is continuing efforts to collect \$148,000 in outstanding trash collection and sewer service bills.

### Supervisors' Report

Mr. Donatelli read the following calendar: February 23, 2010 4:00 p.m. Board of Supervisors' Workshop (if needed); February 26, 2010 1:00-7:00 p.m. American Red Cross Blood Drive in Memory of Elaine Benson; March 1, 2010 7:00 p.m. Board of Supervisors' Meeting (if needed); March 9, 2010 4:00 p.m. Board of Supervisors' Workshop; March 11, 2010 Chester County Association of Township Officials Spring Convention; March 15, 2010 7:00 p.m. Board of Supervisors' Meeting.

### Administration Reports

#### Township Engineer's Report

Dave Leh stated actions would be taken on Land Development topics later in tonight's agenda.

#### Building/Code Department Report

Al Gaspari reported that 29 building permits were issued in January, totaling \$21,218 in fees. The Park & Recreation Board has selected Saturday, June 19, 2010 to hold the Township's Block Party – it will not conflict with events in any surrounding Townships nor St. Elizabeth's Anniversary event. Mr. Gaspari reported that UTI's roof did not collapse last week, as news reports stated, but it did flex as it was designed to do.

#### Public Works Department Report

Mr. Donatelli commended the Department and Township Staff for their efforts during the February storms. Mike Heckman reported that during January, the Department responded to issues stemming from 2 wind storms and 2 rain storms, the Department hauled cinders, repaired signs, cleaned equipment and performed routine maintenance, attended LTAP training, and prepared street sweeping Request For Proposals.

Don Carlson commented on increased snow plowing efforts of Municipal Authority facilities.

#### Police Chief's Report

Chief DeMarco also commended the Public Works Department and reported that our crew worked well with emergency service responders, plowing in front of ambulances as calls came in during the storms.

#### Land Development

Butler House Land Development Plan: Cary Vargo introduced a land development plan, dated December 30, 2009, for the Butler House Property, which adds a 14-space parking area with 2-spaces in reserve to serve the Office use of the building. The Planning Commission reviewed this Plan and was in favor. Mike Robinson, Owner, and Carlton Williams of Taylor Wiseman Taylor were present.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to grant Preliminary/Final Land Development Approval of this Plan accompanied by the following conditions:

1. All improvements shall be completed in accordance with the conditions set forth in the Conditional Use Decision and Order dated September 8, 2009;
2. The Plan shall be revised to comply with Gilmore & Associates' review letter dated February 4, 2010;
3. A waiver from SLDO Section 162-57.D. is granted contingent on the Brandywine Conservancy's verification that the existing and proposed site landscaping satisfies the requirements of said section; and

4. The Applicant agrees to pay a Traffic Impact Fee in the amount of \$6,513.92. The fee shall be paid prior to Use & Occupancy Certificate issuance.

Mr. Robinson assured the Board that the boundary to the west with The Mews would be supplemented with landscaping/screening in order to disguise the parking area and smallest size dumpster available. The Motion to grant Approval carried unanimously.

Mr. Vargo introduced a Resolution accepting dedication of several roadways in the Greenridge Development – Phase I. The roads were inspected, found to be constructed according to Township specifications, and recommended for acceptance by the Township. The Township Solicitor advised all dedication documents were in order.

Mrs. Tomlinson moved, seconded by Mr. Kerr, to adopt Resolution #02-16-10-04 which accepts dedication of McGraw Lane (676 LF) and Collingwood Terrace (979 LF) in the Greenridge Development. The Motion carried unanimously.

Mr. Vargo introduced a Resolution accepting dedication of the “Northern Link” of Graphite Mine Road [north from Byers Road to its junction with Route 100]. The Byers Station Group offered the roadway for dedication, Township Engineers have inspected the road, and the Township Solicitor advised all dedication documents were in order.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to adopt Resolution #02-16-10-05 accepting dedication of the Northern Link of Graphite Mine Road (3,875 LF). Fresh striping and the installation of “Stop Here On Red” signs will occur in the Spring. The Motion carried unanimously.

#### ADMINISTRATION

Delaware Valley Health Insurance Trust (DVHIT) Ordinance. Mr. Vargo introduced an Ordinance authorizing the Township’s participation in DVHIT’s health insurance trust (2 –year commitment) which mirrors or enhances current health care coverage at a lower cost. DVHIT is a consortium of over 60 Townships/Municipalities.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to adopt Ordinance #2010-01, authorizing participation in the Delaware Valley Health Insurance Trust for the Township’s Administration Staff health care. The Motion carried unanimously.

Non-Uniformed Employee Pension Plan Ordinance Amendment. Mr. Vargo introduced an Ordinance whereby several definitions within the Non-Uniformed Employee Pension Plan were amended for consistency or clarification purposes, and in regard to survivor benefits, to simplify the eligibility and actual benefit to the survivor. Along with the Ordinance is a Resolution reiterating the employee contribution rate for 2010 which was affected by the amended salary definition.

Mrs. Tomlinson moved, seconded by Mr. Kerr, to adopt Ordinance #2010-02 and Resolution #02-16-10-06, amending the Non-Uniformed Employee Pension Plan. The Motion carried unanimously.

Mr. Kerr moved, seconded by Mrs. Tomlinson, to authorize the advertisement of:  
Ordinance Amendment – Byers Station, Greenridge Developments speed limits, stop signs  
Solid Waste & Recycling Collection Contract 2010-2013 Bid  
Fellowship Fields Lighting Project Bid

Mr. Donatelli summarized each advertisement, and the Motion carried.

Tax Collector Bond. Cary Vargo explained that the Township is required to suggest to the County Courts the amount for the Tax Collector’s Bond. Using historic data and polling neighboring communities, we will recommend the Tax Collector’s Bond be set at 25% of revenue or \$225,000.

Mrs. Tomlinson moved, seconded by Mr. Kerr, to recommend to the County Courts that the Tax Collector Bond should be set at \$225,000. The Motion carried unanimously.

Traffic Signal Maintenance Contract. Cary Vargo reported that the Township's annual contract for traffic signal maintenance and repair has been @ \$3,000. Proposals were requested this year, two were received, and Charles Higgins, Inc. proposed \$1,960. Higgin's labor costs were also less than the current contractor, Signal Service. Mr. Vargo recommended accepting Higgins' proposal. Mr. Kerr moved, seconded by Mrs. Tomlinson, to accept Charles Higgins, Inc.'s proposal and execute the 1-year Contract. The Motion carried unanimously.

Police Contract Addendum. A paragraph regarding the salary structure for Sergeants and Corporals was inadvertently missed while the Police Contract was being revised for the current 2010-2014 Contract. An addendum to the Contract was prepared and has been approved by the Collective Bargaining Association to reinstate the paragraph in the Contract. Mr. Kerr moved, seconded by Mrs. Tomlinson, to approve Addendum 1 to the 2010-2014 Police Contract. The Motion carried unanimously.

Open Session

No comments were offered.

Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the meeting at 8:00 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary