

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES APRIL 2008
APRIL 14, 2008 , APRIL 28, 2008

April 14, 2008

The meeting was called to order at 7:30 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

Present: Supervisors: Frederick W. Gaines, Joseph E. Toner and Milton H. Bozarth; Township Manager Doug Hanley; Building /Zoning Officer Tom Cooke; Township Secretary Lynda Phiel; Township Treasurer Susan Bernhard; Fire Marshal Mike Holmes; Township Solicitor Guy Donatelli and Chief Pontarelli.

Minutes: *The minutes of March 24, 2008 were approved by a motion made by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.*

BUSINESS:

REPORTS:

Police: Chief Pontarelli reported that there were 324 traffic citations issued, 46 criminal arrests and 23 auto accidents during the month of March.

Treasurer: Ms. Bernhard has submitted her report for the month of March. The following is a list of revenues and expenses:

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$729,652.70	\$740,308.51
Hydrant	12,092.07	7,974.00
State Liquid Fuel	122.65	34,035.07
Sewer	152,495.39	453,531.61

Ms. Bernhard reported that the Township has collected 24% of its budgeted revenues and spent 25% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of March the Road Department re-established the swale in the Pine Creek Valley detention pond; picked up excessive leaves in roadway prior to street sweeping; swept 85 miles of roadway; repaired and replaced signs; and serviced and repaired various equipment.

Sanitation Department: Mr. Hanley reported that for the month of March:

Daily Average Flow	
Downingtown	1.75 million gpd

There were no sewer connections to DARA or the Eagleview Plant during the month of March.

The Township has received 3.98 inches of precipitation during the month of March. Year-to-date, there is an excess of .5 inches.

Fire Marshal: Mr. Holmes reported that he answered 18 fire calls during the month of March, 10 of which were during work hours; spent 14 hours of work time handling Fire Department activity; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 47 alarms during the month of March, 29 of which were in Uwchlan Township. He also announced that the 20th annual golf outing will be held on June 14, 2008 and Community Day is scheduled for July 12, 2008.

Uwchlan Ambulance Corps: Mr. Toolan reported the Ambulance Corps responded to 262 calls during the month of March, 88 of which were in Uwchlan Township. Calls are up 20% from last year.

The Board accepted the Reports as submitted.

Permission to Advertise for Sale of:

1. 1995 Ford Pick-up Truck w/Plow
2. 1988 Chevy Dump Truck w/Plow & Spreader

These items will be advertised for bid receipt in May.

Pickering Valley Feed & Farm Store:

Mr. Cracas has requested permission for his yearly plant sale held in the parking lot of the Pickering Valley Feed & Farm Store. The sale will continue until July 31, 2008.

Mr. Toner made a motion to approve the request contingent on the sale ending July 31, 2008, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Discussion: Combining Thursday Trash/Recycling Route with Wednesday's

The Township has received a letter from Jim Clark of A.J. Blosenski requesting permission to allow them to combine Thursday's trash pick-up with Wednesday's pick-up. His letter lists reasons for the change, which include efficiency, better customer service, and easier management. They would like to start in May and will notify the affected customers by mail.

The Board members had concerns with whether or not the company is capable of servicing additional customers on Wednesday and whether they will find the need to start collection earlier than 6:00 a.m., which is not allowed by Ordinance. Also discussed was the possibility of allowing them to combine the collection on a 2-month trial basis and if Blosenski saves money by doing this, will they pass the savings on to the Township?

Mr. Toner made a motion to approve combining Thursday's trash/recycling pick-up with Wednesday's collection on a 2 month trial basis, and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 04/28 - Board of Supervisors - 7:30 p.m. - Regular Meeting

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

The following residents from the Seasons development were present to request the Township's assistance in removal of gravel and mulch from the island at the entrance to the Seasons on Fairweather Dr.:

1. Mike Jobrey, 420 Deep Willow Dr.
2. Dave Ellison, 318 Misty Autumn Dr.
3. Donna Walk, 315 Fairweather Dr.
4. Cathy Daniels, 306 Misty Autumn Dr.
5. Deidre Agnew, 102 Willow Glade Ct.

These individuals form the Architectural Review Committee (ARC) for the Seasons, and oversee any changes proposed for their community. They then report to Rouse/Chamberlain, the Developers of the community, who make final decisions regarding the proposed changes. The properties in the Seasons carry deed restrictions against certain items.

The island is currently owned and maintained by the Township. The "Committee" would like to plant shrubs and flowers in the island, which would make it look more like the island on Deep Willow Dr. They have raised money to fund the project, and expect to maintain it for years to come.

The Board members had the following concerns:

1. Is ARC a legal organization? Does the organization have liability insurance? Who makes decisions? ARC or Rouse Chamberlain?
2. The property is owned by the Township and therefore the Township could be liable if anyone is hurt with respect to the island.
3. What will the cost be to the Township to remove the existing gravel and mulch?

Ms. Agnew said that ARC is not a legal organization, however the members were appointed by Rouse/Chamberlain with R/C having final decision making authority.

The Board directed the ARC members to prepare a plan of what they want to do to the island, explain how the liability issue will be handled, ask R/C if they will consider taking out a maintenance bond liability insurance policy for injury, and if ARC can assure that once they assume responsibility for the island it will be maintained "forever".

Mr. Toner noted that although the idea is "well-intentioned", the Board must look at long term. If people move out of the development or lose interest in the project, who will maintain the island.? This is what the Board must consider.

The Board will look at the plan and talk with the ARC members at a later date.

Regarding the trash and recycling item mentioned earlier, Mr. Ellison asked the Board to check whether Blosenski will be passing on savings to the Township residents when they combine the trash pick-ups. Township staff will check with A.J. Blosenski.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:10 p.m. Mr. Bozarth seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary

/jc

APRIL 28, 2008

The meeting was called to order at 7:31 p.m. by Chairman Frederick W. Gaines and the Pledge of Allegiance was recited.

Present: Supervisors: Frederick W. Gaines, Joseph E. Toner and Milton H. Bozarth; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Treasurer Susan Bernhard; Township Solicitor Guy Donatelli and Sergeant McClure.

Minutes: *The minutes of April 14, 2008 were approved by a motion made by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.*

BUSINESS:

Hankin Group:

1. Request to Install Street Lighting on Wharton Blvd. between Town Center and Shamona Apartments:

During a previous meeting, the Hankin Group requested permission on behalf of the Eagleview Homeowners Association, to place street lights along Wharton Blvd. between the Town Center and the apartments. The lights proposed were of the "candy cane" design similar to those currently in the Town Center. At that time, the Board asked them to consider bollard type lighting since it would be less intrusive.

Mr. Fisher explained that they did consider using 25 bollard lights but there was not enough illumination. They still would like to use the "candy cane" light design, and asked the Board to reconsider their position.

Mr. Gaines said he opposes the lights since it sets a precedent. People move here to get away from the city and all of the lights. Mr. Bozarth noted that people are encouraged to walk in this development and for safety reasons, he felt that a light that would only light the walkway should be considered. Mr. Toner said he understands the view of not wanting to light up the sky, but he is not opposed to installing street lights on Wharton Blvd. from a safety standpoint.

Mr. Guarini told the Board that they will do whatever the Board decides.

The Board members suggested the Hankin Group look at the lighting again and come back for discussion at the next meeting.

2. Request for Approval of Annual Eagleview Town Center Events

The Township has received a written request from Becky Reeves of the Hankin Group for the following:

- A. 8th Summer Concert Series - Every Tuesday from June 3rd through August 26th with fireworks on July 1st and August 26th.
- B. 4th Oktoberfest Celebration - October 2, 2008

Both events have been reviewed by the Police and Fire Marshal. There were no concerns. Two police officers will be present at each event to provide security.

Mr. Toner made a motion to approve the events as discussed including having two police officers present at the events. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

The Season's Architectural Board: Fairweather Dr.

The following residents from the Seasons development were again present to request the Township's assistance in removal of gravel and mulch from the island at the entrance to the Seasons on Fairweather Dr.:

1. Mike Jobrey, 420 Deep Willow Dr.
2. Donna Walk, 315 Fairweather Dr.
3. Cathy Daniels, 306 Misty Autumn Dr.
4. Deidre Agnew, 102 Willow Glade Ct.

These individuals, members of the Architectural Review Committee (ARC) for the Seasons, were in attendance at the last Board meeting and came back to discuss further their request, and to provide answers to the following concerns the Board voiced at the last meeting:

1. Insurance - Is ARC insured?

ARC contacted Rouse/Chamberlain, the Developers of the community, who said the committee members are "agents acting on their behalf" and are therefore insured under R/C's policy.

2. Is R/C willing to take out a maintenance bond liability insurance policy?

R/C is not willing to do this, but ARC members said they would possibly consider setting up an escrow account.

3. Perpetual Care - Who will maintain the island in years to come?

Mr. Jobrey explained that ARC will put aside \$2,000.00 which would be used to re-establish the island to its current condition, if and when, the organization fails to maintain their "improved island".

Mr. Gaines asked Mr. Hanley how much it would cost for the Township to prepare the island for planting. Mr. Hanley answered that it would cost between \$2,800 and 3,200. With this in mind, Mr. Gaines told the ARC members that there are two costs to consider. One cost would be incurred to undo what is there now in preparation for ARC's plans, and the second would be to put it back to its present condition if ARC does not maintain the island properly.

Mr. Jobrey said that ARC just wants the Township to help them prepare the island for planting, i.e. remove the stone and weed barrier that is there now.

Mr. Bozarth summarized the concerns as follows:

1. The need for a "plan".
2. Board needs assurance (in writing) that there will be continued maintenance in place.
3. The up-front costs to the Township are too high.

Mr. Toner mirrored these concerns, stating that the perpetual care issue could be worked out with the Township Solicitor, and the initial cost/labor may be borne by a landscape contractor or two. He encouraged the ARC members to be creative.

Mr. Donatelli requested a copy of the "deck page" from Rouse/Chamberlain's insurance policy.

The ARC members agreed to provide the Board with a copy of a plan.

Plans:

1. Vanguard: Conceptual Plan Presentation

Denise Yarnoff, Attorney, explained that Vanguard received Conditional Use approval for the Master Plan at Route 100/Sheree Blvd. (the former Happy Days Farm property) in 2000, and Land Development approval in 2001 for a 2 million s.f. Corporate Campus with another 500,000 s.f. in out-parcels.

John Kostyo from Kling Stubbins, the Architectural Engineers for this project, went into more detail as to the overall improvements to the original Vanguard plan. The plan still shows the radial concept with terraced parking structures, primary loop road, main access off of Sheree Blvd., and direct access to the Turnpike.

Phase 1 of the plan consisted of two of six proposed buildings, each approximately 350,000 s.f. in size, with 3 levels of associated tiered parking. Vanguard has since re-assessed their needs and has decided to reduce the size of the buildings to 220,000 s.f., pull the buildings back farther from Route 100, and eliminate one level of parking. Completion of Phase 1 is expected by 2010.

Traffic Engineer for the project, Matt Stork, explained that the loop road will be mainly used by visitors and handicap employees with employee traffic pushed to the outside. Pedestrian traffic will have the right of way on the site with numerous stop signs to help with their crossing. A traffic study will be submitted with Phase 1.

Rick Stehlick, representing Vanguard, stated that the Company is now anxious to move forward with the project. They are sensitive to environmental issues and this project will reflect that.

The Board asked why there is a reduction in number and size of buildings? Mr. Kostyo said the Company was being conservative regarding growth.

Also discussed was whether convenience services, i.e. dry cleaning, auto repair, fitness center, will be available to employees on-site in Phase 1. The answer was "Yes".

The Board requested reduced size plans for their review. Ms. Yarnoff said she will provide them.

The Applicant will return in May for further discussion.

2. Rossi: Subdivision - Route 113 - Separating Residential from Commercial

Mr. Cooke presented the simple subdivision plan for the Rossi property located on the corner of W. Devon Dr. and Route 113. The front property, approximately 19.5 acres will be retained by the Rossi family while the rear lot, approximately 23.4 acres will be for Moser development.

The Board acknowledged the submission, which will be sent out for review.

Resolution No. 2008-09:

This Resolution adopts a Facility Use Policy for the buildings and improvements located upon the Uwchlan Township Municipal Campus.

Mr. Bozarth made a motion to adopt Resolution No. 2008-09 and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 04/30 - Zoning Hearing Board - 123 Timber Springs Lane, Front Yard Variance - 7:00 p.m.
2. 05/05 - Park & Recreation - 7:30 p.m.
3. 05/06 - UCC Appeals Board Hearing - Target - 7:00 p.m.
4. 05/07 - Planning Commission - 7:30 p.m.
5. 05/08 - Historical Commission @ Cadwalader House - 7:30 p.m.
6. 05/19 - Board of Supervisors - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Peg McCorry, 901 Welsh Ayres Way, again, asked the Board to consider re-opening old Milford Rd., which has been closed off to traffic for approximately 8 years. She asked that it be made one-way going toward Rice Blvd. and Pennypacker Rd.

The Board members reiterated to her that, as with past requests, the re-opening would not be cost effective since the bridge would require extensive work to bring it up to a point where it could handle heavy traffic. Also, emergency personnel have stated that the closure does not affect their response time.

Mr. Hanley stated that the road was closed as part of the Conditional Use for the Hankin Group.

Township staff will take another look at the situation.

Mrs. McCorry also asked that the Township replace the one-way sign for the bridge on Dowlin Forge Rd. which is suppose to be in front of 1215 Dowlin Forge Rd.

Mr. Toner mentioned that a "Turtle Crossing" sign has been removed from Deep Willow Dr.

Both signs will be replaced.

There being no other business, Mr. Toner made a motion to adjourn the meeting at 8:45 p.m. Mr. Bozarth seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary

/jc