

UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

MINUTES OF REGULAR MEETING

AUGUST 10, 2009

The meeting was called to order at 7:30 p.m. by Chairman Joseph E. Toner and the Pledge of Allegiance was recited.

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

Absent: Township Secretary Lynda Phiel

Minutes: Mr. Gaines made a motion to approve the minutes of July 13, 2009 and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

BUSINESS:

REPORTS:

Police: Chief Pontarelli reported that there were 294 traffic citations, 26 criminal arrests and 30 traffic accidents during the month of July.

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

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$490,133.43	\$985,954.04
Hydrant	325.26	7,974.00
Sewer	360,164.46	256,506.64

Ms. Bernhard reported that for the month of July the Township has collected approximately 61% of its budgeted revenues and spent about 55% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of July the Road Department repaired catch basins on Viewpoint Dr., Wagon Trail Way, Henderson Ln., Kimberly Ln., Nicholson Dr. and Scott Dr.; repaired and replaced signs on various roads with high intensity signs; restored lawn damage done during road repairs at 403 Howell Rd.; and performed state inspections and vehicle maintenance.

Mr. Toner announced that the homeowner of 403 Howell Rd. sent a letter of appreciation to the Road Department for the work they performed.

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

Daily Average Flow	
Downingtown	1.54 million gpd

There were no new sewer connections at either plant.

The Township has received 3.7 inches of precipitation during the month of July. Year-to-date, there is a deficit of 1.34 inches.

Fire Marshal: Mr. Holmes reported that he answered 18 fire calls during the month of July, 9 of which were during work hours; spent 15 hours of work time handling Fire Department activity; conducted fire inspections of commercial buildings totaling 107,448 s.f.; and reviewed plans for commercial buildings and inspected those under construction.

Lionville Fire Co.: Mr. Holmes reported that the Fire Company answered 35 alarms during the month of July, 19 of which were in Uwchlan Township.

He also announced that the Fire Company's Annual Clambake will be held on September 6th. Tickets are still available.

Uwchlan Ambulance Corps: Mr. Toolan reported that the Ambulance Corps responded to 246 calls during the month of July, 72 of which were in Uwchlan Township.

Mr. Gaines made a motion to accept the Reports as submitted and Mr. Bozarth seconded the motion. Mr. Toner asked for public comment. There being none, the motion was carried.

Downing Hills Church: Final Land Development Plan (Resolution No. 2009-27)

Art Miller, a member of Downing Hills Church, presented the Final Land Development Plan to build a church on approximately 4 acres located at 505 W. Uwchlan Ave. The plan shows a 5,000 s.f. building with 71 parking spaces, two of them are handicap spaces.

The Applicant has received review letters from E.B. Walsh dated July 28, 2009; Gannett Fleming dated June 17, 2009; Stan Stubbe dated July 29, 2009; Fire Marshal dated June 15, 2009; Jeff Stewart dated August 3, 2009; and the Police Department dated June 24, 2009; and agree to comply with all items listed.

Mr. Bozarth made a motion to approve the Final Land Development plan contingent on compliance with the above review letters, as well as the motion made by the Planning Commission at their meeting on August 5, 2009, and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Ordinance No. 2009-02: No Parking on the West Side of Braceland Dr. 50' South of its Corner Radius with Andrew Alley

Mr. Gaines made a motion to adopt Ordinance No. 2009-02 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Resolution No. 2009-26: Energy Grant for Efficient Interior/Exterior Lighting on the Township Campus

This Resolution allows the Township to request a PA Conservation Works Energy Grant of \$250,000 from the Commonwealth of PA to be used for energy efficient lighting at the Township Campus buildings and the upgrade to LED traffic signals at three intersections along PA Route 100.

Mr. Gaines made a motion to adopt Resolution No. 2009-26 and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Hanley further noted that the Board approved Resolution 2009-23 at the last meeting, which allowed the Township to request a Solar Energy Grant of \$128,250. Due to changes at the State level, the dollar amount of the loan has been reduced to \$85,500 and the break even return will be in Year 11 or 12 instead of Year 8 or 9. Consequently, the Board must rescind Resolution No. 2009-23 and replace the numbers. The new Resolution, No. 2009-28, will be its replacement.

Mr. Gaines made a motion to rescind Resolution No. 2009-23 and replace it with Resolution No. 2009-28, and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Special Event Request: AEGON

The Human Resources Manager of AEGON requested permission to hold an employee event on their back parking lot on September 17th from Noon to 4:00 p.m. The Township has been sent a letter outlining all of the details, which includes a large tent being erected. Mr. Cooke , Chief Pontarelli and Mr. Holmes anticipate no problems with the event.

Mr. Gaines made a motion to allow the special event and Mr. Bozarth seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

Mr. Bozarth asked when the tent will be removed. The tent will be removed the day of the event.

Calvary Fellowship Church: Discussion about Community Day

Mr. VanArsdale from Calvary Fellowship Church questioned why his church was not allowed to participate in the Community Day information tent this past July. He presented a letter to the Supervisors that deals with a variety of reasons he feels the church should not have been denied.

Mr. Toner explained that the Policy that was developed by the Community Day Committee and approved by the Board members this year outlined who would be permitted to set up a table in the community tent and how many tables would be available. All political and religious affiliations were denied because Community Day celebrates the community, not missions. He also stated that he contacted Harry Ambrosi, who was responsible for the community tent this year, and was informed that the tent activities ran very smoothly. His only request was for more chairs next year.

Additionally, Mr. Bozarth stated that the Township has not been able to figure out how to draw a subjective line as to what type of affiliations are acceptable. For this reason, all churches and political oriented groups are denied.

Mr. Donatelli agreed, adding that the criteria was developed because there was the need to marshal the limited space that is available in the community tent.

Mr. VanArsdale asked if he could return next year and ask to be included, hoping that the criteria may be changed. The Board members said he could; that they are always willing to talk.

On another matter, Mr. Toner announced that prior to the meeting, the Board interviewed Pete Callahan for consideration as an alternate member of the Zoning Hearing Board.

Mr. Bozarth made a motion to appoint Mr. Callahan as an alternate to the Zoning Hearing Board and Mr. Gaines seconded. Mr. Toner asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 08/19 - Zoning Hearing Board -7:30 p.m., 707 Dover Court Place, side yard variance for shed
2. 09/02 - Planning Commission - 7:30 p.m.
3. 09/10 - Historical Commission @ Cadwalader House - 7:30 p.m.
4. 09/14 - Board of Supervisors - 7:30 p.m.
5. 09/14 - Park & Recreation Board - 7:30 p.m.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS

Mr. Toner recognized a visitor in the audience from Bolivia who is staying in Uwchlan Township while he is working at the Lionville YMCA. He is a linguistics professor at a University in Bolivia.

The Minister from New Life Christian Center, located in the Marchwood Shopping Center, requested permission to hold a block party on September 12th-13th on the lawn and parking area immediately adjacent to their location. They had an event last year that included music which created some noise violations and they wanted to make sure the Township was OK with the event.

Mr. Toner explained that the Township has a strict Noise Ordinance in order to protect its residents. If the Church can work out the details satisfactorily with Township staff, they are permitted to have the block party. Reverend Handkins stated that if having the music prevents the event, they will do without the music.

At 8:18 p.m. Mr. Toner announced that the meeting was recessed to hear the Conditional Use applications of Morphotek and the Hankin Group.

Hearings:

1. Morphotek - 213, 215 & 217 Welsh Pool Road for Conditional Use approval to build a 62,000 s.f. building to house a R & D use and a pilot plant for the product.
2. Hankin Group for Conditional Use approval to amend the Eagleview Town Center Plan to include a second subsidized elderly apartment building and another 160-unit market rate apartment building that is age restricted to 62 years and over.

At 10:05 p.m. Mr. Toner re-convened the Township meeting and potential Zoning Amendments to the PCID Zoning requirements were discussed.

Mr. Bozarth made a motion to assist the Hankin Group in their time table to secure government funding for their subsidized elderly apartment building, to authorize Tom Cooke to prepare and submit to the Chester County Planning Commission, and advertise the required changes to the Township Ordinance so we could be dealing with those in parallel with the rest of the process. The motion was seconded by Mr. Gaines and was carried.

The Hearing for the proposed Zoning Amendments will be scheduled for Monday, September 14, 2009 at the start of the regular Township business meeting and will commence at 7:30 p.m.

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

Respectfully submitted,

Doug Hanley

Township Manager

/jc