

# UWCHLAN TOWNSHIP BOARD OF SUPERVISORS

## MEETING MINUTES May 2007

### May 14, 2007 / May 28, 2007

## May 14, 2007

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, Milton H. Bozarth and Joseph E. Toner; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Treasurer Susan Bernhard; Township Solicitor Mark Thompson and Lieutenant Pontarelli.

**Minutes:** The minutes of April 9, 2007 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:** Lieutenant Pontarelli reported that there were 192 traffic citations issued, 33 criminal arrests and 29 auto accidents during the month of April.

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

Fund	Revenues	Expenses
General	\$1,026,166.17	\$ 660,327.71
Hydrant	39,516.63	7,974.00
State Liquid Fuel	385,996.40	5,051.40
Sewer	446,273.58	412,681.36

Ms. Bernhard reported that the Township has collected 38% of its budgeted revenues and spent 31% of its budgeted expenditures.

**Road Department:** Mr. Hanley reported that for the month of April the Road Department completed street sweeping; repaired lawns and mailboxes damaged during snow removal; repaired catch basins, potholes and sinkholes; repaired and replaced signs; removed and stored salt spreading equipment; performed State inspections; and serviced and repaired various equipment.

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

Daily Average Flow:

Downingtown 1.95 million gpd

There were no new sewer connections to DARA and one connection at the Eagleview Plant during the month of April. Also, the Rutgers Dr. sewer project has been completed.

The Township has received 8 inches of precipitation during April. Year-to-date, there is a surplus of 5 inches.

**Fire Marshal:** Mr. Hanley reported that Mr. Holmes answered 28 fire calls during the month of April, 13 of which were during work hours; spent approximately five hours of work time on Fire Company business; conducted 26 fire inspections; reviewed plans for commercial buildings; and investigated two suspicious brush fires in Rhondda.

**Lionville Fire Co.:** Mr. Hanley reported that the Fire Co. answered 43 alarms during the month of April, 28 of which were in Uwchlan Township. The Fire Co. also thanked Ms. Bernhard and Mrs. Phiel for their help in dealing with insurance companies in order to have an engine repaired after being damaged in an accident.

**Uwchlan Ambulance Corps:** Mr. Toner introduced Phil Wenrich, new Ambulance Chief, Val White, Interim President and Mark Toolan, Treasurer. Mr. Toolan reported that the Ambulance Corps responded to 234 calls during the month of April, 73 of which were in Uwchlan Township. He also extended an invitation to the Supervisors for a meeting of the Municipal Relationship Committee, a newly formed committee aimed at opening up communication between municipalities and the Ambulance Corps.

**Facilities Committee:** Mr. Cooke reported that the bullet trap has been replaced in the Police building. Also, some minor alterations will be made to the building. The Board accepted the reports as submitted.

**Bid Award: Media System for New Meeting Room**

Mr. Hanley reported that the following bids were received and opened:

1. Vistacom, Allentown, PA \$66,353.00
2. Sound & Security Eng., Conshohocken, PA 87,430.00

John Cuccinato of Intermedia Group reviewed the bid packages submitted since it was his company that prepared the specifications for the media system. He recommended that Vistacom be awarded the bid since they were the lowest qualified bidder.

Mr. Toner made a motion to award the bid for the media system to Vistacom of Allentown, PA for \$66,353.00 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Official Bid Award:**

Mr. Hanley reported that bids for the Ship Rd. sewer project were received and opened at the last Supervisors' meeting with Instituform being the lowest qualified bidder. Mr. Brown of Gannett Fleming has reviewed the bid specifications and determined that Instituform complies with all items. He has recommended that they be formally awarded the bid.

Mr. Toner made a motion to formally award Instituform the bid and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried. Instituform has 90 days from notification to complete the job.

#### **Hankin: Town Center Condominium Plan Submission**

The plan for new Town Center Condos will be sent out to the various reviewing agencies.

#### **Moser: Rossi Tract - Time Extension to 8/21/07**

The Township has received a letter from Mr. Moser dated May 3, 2007 granting a time extension until August 21, 2007 for the plans for the Rossi Tract.

#### **Pickering Valley Feed & Farm Store: Request to Sell Flowers and Plants in Parking Lot Area**

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, 2007.

Mr. Toner made a motion to approve the request contingent on the sale ending July 31, 2007 and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Meeting Date Change: May 28, 2007 Rescheduled to Tuesday, May 29, 2007 Due to Holiday**

The Board gave their OK.

#### **Appointment to Park & Recreation Board: Tom Cellucci**

Mr. Toner made a motion to appoint Tom Cellucci to the Park & Recreation Board, to fill Pat Durr's unexpired term. Mr. Bozarth seconded the motion. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT**

Mr. Toner announced that Frances Hawk, a member of the Industrial Development Authority, is fighting cancer.

Mr. Gaines requested that there be a ban on smoking for spectators at sporting events held on Township fields. The Township staff will look into this.

J.R. Hildreth of 515 Gramercy Ln. had the following comments:

1. Construction in Eagleview is beginning too early - wants the Township to enforce the Noise Ordinance. Lieutenant Pontarelli agreed to have the area more closely patrolled.
2. Thanked the Township for placement of stop signs along Wharton Blvd. but says speeding is still a concern along this road.
3. Concerts in the Park - he would like to see more requirements placed on Hankin, i.e. parking, closure of roads, restriction of traffic on Cricket Ln., Gramercy Ln. and Perimeter Dr. Township will research.
4. Skateboarding on sidewalks in Eagleview is a safety hazard and destructive. Township is working on solutions.

There being no other business, Mr. Toner made a motion to adjourn at 8:03 p.m. Mr. Bozarth seconded and the motion was carried.

Immediately following the meeting: Conditional Use Hearing - DiGiore, 36 S.Village Ave.

# May 28, 2007

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, Milton H. Bozarth and Joseph E. Toner; Township Manager Doug Hanley; Building/Zoning Officer Tom Cooke; Township Secretary Lynda Phiel and Township Solicitor Guy Donatelli.

**Minutes:** Mr. Bozarth requested that the minutes of May 14, 2007 be amended as follows:

1. Page 3 - Bid Award - instead of "low bidder" , should read " lowest qualified bidder".
2. Page 4 - Industrial Development Council should be Industrial Development Authority.
3. Note added regarding a meeting with Ambulance personnel.

The Board discussed the proposed changes, agreeing that changes #1 & #2 should be made. Mr. Toner noted that the third change should not be made since the Board did not meet in an Executive Session.

Mr. Bozarth made a motion to amend the May 14th minutes by making Changes #1 & #2 above, and Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

## **BUSINESS:**

### **Conditional Use Decision: Target**

Mr. Donatelli has drafted the Decision & Order that would allow LTK Associates to construct a Target store on an 18 acre parcel located on the southwest corner of Eagleview Blvd. and Dowlin Forge Rd. There are many Conditions listed in the Decision; too numerous to list. Below are some of these Conditions:

1. Applicant is required to seek Land Development approval for the development of the Property. Except as where modified by the Conditions herein, review and approval of the application and plan shall be in accordance with all of the otherwise applicable standards, specifications and regulations of Uwchlan Township.
2. Target's hours of operation shall be from 8:00 a.m. to 10:00 p.m. seven days a week, but during the year-end holiday season, which shall be from Thanksgiving until the close of business on December 31st, the hours of operation shall be from 7:00 a.m. to 11:00 p.m. Target personnel shall be allowed to clean and stock the store during overnight hours as long as such activity complies with the Township's Noise and Lighting Ordinances.
3. All Target truck deliveries shall take place between the hours of 8:00 a.m. and 9:00 p.m., except for Sunday, when there may be truck delivery between the hours of 9:00 a.m. and 5:00 p.m.
4. All exterior lighting, including night circuit lighting, shall be in accordance with the requirements of Uwchlan Township.
5. Parking lot sweeping and maintenance is prohibited on Sunday
6. Target emergency generator shall be muffled and its weekly test cycle is limited to the period between 9:00 a.m. And 3:00 p.m. either on a Tuesday, Wednesday or Thursday.
7. The rear wall of the Target building shall incorporate a six foot high parapet wall as depicted on Applicant's Exhibit A-9.
8. To the most reasonable extent possible, the Target HVAC rooftop units shall be positioned as low as possible on the roof line. These units that remain visible fro a reasonable distance shall be individually screened or painted a similar color to the roof. All mechanical equipment on the Target roof and the proposed restaurant roof shall be screened from view pursuant to the Uwchlan Township Zoning Ordinance.
9. A landscaped berm shall be constructed as shown on Exhibit A-16 (revision date 3/19/07). The berm shall be landscaped to create an effective screen between Target and the Windham neighborhood.
10. Target shall display no items outside of the store and shall not conduct any "sidewalk sales" or other such events which would require merchandise to be displayed outside the building.
11. Various road improvements are part of the project.
12. Target shall construct the park as depicted on the sketch plan prepared by E.B. Walsh & Associates dated April 17, 2007, last revised May 4, 2007.
13. Target is granted a reduction in the overall parking requirements of 5 stalls per 1,000 s.f. of gross floor area to 4 stalls per 1,000 s.f. of gross floor area. , and shall within 6 months fro the date of notice by Uwchlan Township, install the additional 1 stall per 1, 000 s.f. of gross floor area upon Uwchlan Township's determination that there is a need for additional parking on the Target lot.
14. Target is encouraged and shall have the right, but not the obligation, to install exterior security cameras at the rear store wall.

Mr. Toner noted that the Decision & Order is a well worked document that places many conditions on the Target application. He asked if outside storage and sales are prohibited. Mr. Donatelli answered "yes". He also stated that he feels that the plan presented fits with the Lionville Master Plan and the Township's Comprehensive Plan.

Mr. Bozarth mentioned the quality of input from those in attendance during the Hearing process, thanking them for such input. He also said he felt the Decision & Order captures the essence of the residents' input.

Mr. Gaines stated that the Board listened to both sides and evaluated the information given. The Decision was reached by considering the legal aspects and putting aside emotions.

Mr. Toner made a motion to approve the Decision & Order as presented and Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

#### **Whitford Hills and Peck Roads: Pedacyclist**

Mr. Hanley reported that the Township asked PennDot to reconsider the crosswalk that is installed at this intersection due to safety issues. PennDot has determined that the crosswalk remain but would like the Township to perform their own review and advise of any improvements that they see appropriate.

The Board members agreed that Township Traffic Engineer, Dean Kaiser, and Township Engineer, Ted Gacomis, submit recommendations.

#### **ANNOUNCEMENTS:**

1. 6/04 - Park & Recreation - 7:30 p.m.
2. 6/06 - Planning Commission - 7:30 p.m.
3. 6/11 - Board of Supervisors - 7:30 p.m.
4. 6/13 - Historical Commission - Cadwalader House - 7:30 p.m.

#### **OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENTS**

Mr. Cooke announced that the Township has received 2 site plan submissions, one for Target, the other for Lot #4 on Eagleview Blvd. These will be sent out to the various agencies for review.

Mr. Toner announced that Life Scout, Michael Anderson, is in the audience satisfying a requirement for a merit badge. Michael is working toward Eagle Scout status.

After the Meeting: Conditional Use Hearing - The Hankin Group - Eagleview Town Center

There being no other business, Mr. Toner made a motion to adjourn at 7:50 p.m. Mr. Bozarth seconded and the motion was carried.