

**UWCHLAN TOWNSHIP BOARD OF SUPERVISORS
MINUTES OF REGULAR MEETING**

SEPTEMBER 8, 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; Police Chief Pontarelli and Fire Marshal Mike Holmes.

Minutes: *The minutes of August 11, 2008, which were previously given to the Board for review, were approved by a motion by Mr. Toner and seconded by Mr. Bozarth. Mr. Gaines asked for public comment. There being none, the motion was carried.*

REPORTS:

Police: Chief Pontarelli reported that there were 317 traffic citations issued, 22 criminal arrests and 34 auto accidents with a total of 1395 incidents during the month of August.

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

<u>Fund</u>	<u>Revenues</u>	<u>Expenses</u>
General	\$ 883,715.99	\$ 595,681.13
Hydrant	189.58	7,974.00
State Liquid Fuel	753.99	17,254.63
Sewer	377,048.02	156,969.62

Ms. Bernhard reported that the Township has collected 77% of its budgeted revenues and spent 66% of its budgeted expenditures.

Road Department: Mr. Hanley reported that for the month of August, the Road Department paved Buttonwood, Cyprus and William Salesbury, which required extensive repairs. The crew also worked on Gordon Drive to correct a drainage problem; repaired or replaced catch basins in the Arbordayle development, and painted cross walks and had "School Zone" painted at various locations. They also performed State inspections on vehicles and serviced and repaired various equipment.

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

Daily Average Flow:	
Downingtown	1.26 million gpd

There were no new sewer connections to DARA or the Eagleview Plant during the month. The Township has received 1.94 inches of rain this month and 28 inches total for the year. Year-to-date, there is a deficit of 3.2 inches.

Fire Marshal: Mr. Holmes reported that he answered 14 fire calls during the month of August, five of which were during work hours; spent approximately four hours of work time on Fire Company business; continued reviewing plans and doing inspections for commercial buildings. Began scheduling for Fire Prevention programs.

Lionville Fire Co.: Mr. Holmes reported that the Fire Co. answered 51 alarms during the month of August for a total of 405 y.t.d. Twenty-four alarms were in Uwchlan, 6 in Upper Uwchlan, 5 in West Pikeland and 16 in other Townships. He also thanked everyone who attended the Clambake.

Mr. Toner asked about the status of the fire siren. Mr. Holmes replied it is currently being repaired along with the timer.

Mr. Gaines reported that he swore in two new fire police prior to the start of this meeting.

Uwchlan Ambulance Corps: Mr. Toolan reported that the Ambulance Corps responded to 223 calls during the month of August, 60 of which were in Uwchlan Township. Mr. Toolan also reported that four EMTs went down to New Orleans last week to help evacuate people and to do search and rescue during the Gustav hurricane. They are currently heading back.

Mr. Gaines directed the Treasurer to process the Township's contribution of \$31,350.00 to the Uwchlan Ambulance Corps.

The Board accepted the reports as submitted.

BUSINESS:

Resolution No. 2008-21:

This Resolution establishes the minimum obligations for the Township's two pension plans for 2009, namely \$315,517 for the Police Pension Plan and \$173,089 for the Non-uniform Pension Plan.

Mr. Toner made a motion to adopt Resolution No. 2008-21, establishing the Township's minimum obligations for its two pension plans as described above. Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Vanguard - Route 100 & PA Turnpike:

1. Final Land Development:

Denise Yarnoff, Attorney, described Phase I as having two, 4 story buildings at 220,000 s.f. each. The parking garage is smaller and is now terraced. They have begun making revisions to the Revised Phase 1 plan for Vanguard. The Applicant is also working on revisions to the Restrictive Covenants since this plan is a scaled down plan of what was originally submitted.

Mr. Bozarth moved to approve the Final Land Development Plan, Phase I, contingent on review letters of E.B Walsh dated August 4, 2008, Gannett Fleming dated August 1 and August 7, 2008, Stanley Stubbe dated August 4, 2008, Fire Marshal dated July 1, 2008, Police Department dated September 4, 2008 and Sanitation Department dated August 4, 2008. Also required is approval of the modified Restrictive Covenants, satisfactory to the Township and clean review letters all within 90 days. Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

2. Resolution No. 2008-22:

Mr. Bozarth moved to approve Resolution No. 2008-22, which authorizes the Manager to release an executed copy of the Resolution to which a copy of the Minutes of the meeting of the Board of Supervisors at which a contingent approval of this Application as above described was granted so that improvement agreement and/or financial security agreement may be obtained by the Applicant. Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Dr. Gottlieb - 30 N. Village Avenue:

1. Final Land Development Plan:

The Applicant wants to change the property at 30 N. Village Avenue from a residential structure into a commercial one. Proposed is a chiropractic office which will have an entrance at the rear of the site, 8 parking spaces, underground stormwater management and a ramp for handicap entrance. A Zoning Hearing was held on August 19, 2008 for three-dimensional variances and a Decision is to be rendered on September 17, 2008.

Mr. Bozarth moved to approve the Final Land Development Plan for Dr. Gottlieb contingent on review letters of E.B. Walsh dated August 4, 2008, Gannett Fleming dated July 22, 2008, Stanley Stubbe dated July 21, 2008, Police Department dated July 23, 2008, Fire Marshal dated August 5, 2008, Historical Commission dated June 24, 2008 and the Planning Commission minutes of August 6, 2008. Final approval is also contingent upon Zoning variances being granted. Further the Board grants waiver of Section 502.3 of the Subdivision Ordinance dealing with the widening of the N. Village Avenue. Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

2. Resolution No. 2008-23:

Mr. Bozarth moved to approve Resolution No. 2008-23, which authorizes the Manager to release an executed copy of the Resolution to which a copy of the Minutes of the meeting of the Board of Supervisors at which a contingent approval of this Application as above described was granted so that improvement agreement and/or financial security agreement may be obtained by the Applicant. Mr. Toner seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

Special Requests:

1. Lionville Community YMCA - 7th Annual Eagleview 5K Run:

This event is scheduled for Saturday, September 20, 2008, from 8 am to 10 am in the Eagleview Development.

2. Motorcycles "Ride for Kids" Pediatric Brain Tumor Foundation:

This event is scheduled for Sunday, September 21, 2008, beginning at 9:30 am in King of Prussia and going through Uwchlan Township on their way to Longwood Gardens.

Chief Pontarelli has reviewed both requests and said these are repeat events that have not created any problems.

Mr. Toner moved to approve the Lionville YMCA Run on September 20, 2008 and the Motorcycles "Ride for Kids" on September 21, 2008. Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

October Meeting Date Change:

Mr. Toner moved to change the Board's regular meeting on Monday, October 13 to Tuesday, October 14, 2008 in observance of the Columbus Day holiday. He further moved to cancel the second meeting in September if there is nothing substantial on the agenda. Mr. Bozarth seconded. Mr. Gaines asked for public comment. There being none, the motion was carried.

ANNOUNCEMENTS:

1. 09/11 - Historical Commission @ Cadwalader House - 7:30 pm
2. 09/17 - Zoning Hearing Board - XL Insurance and Dr. Gottlieb, Decisions - 7 pm
3. 09/17 - Chairman Gaines - Chat Night - 7 pm
4. 09/22 - Board of Supervisors - 7:30 pm - Cancelled
5. 09/24 - Zoning Hearing Board - Rite Aid - Lionville Shopping Center - Front Yard variance - 7 pm

Mr. Toner reported the police were able to locate and fine the trash company for picking up at the Downingtown High School prior to 6 am and on August 24th, the police did a great job in redirecting people attending Church services and other activities at the Marchwood Shopping Center, which did not have the proper Permit.

Also, Mr. Toner requested that Daniel J. Marbach, son of Planning Commission member John Marbach, who will be receiving his Eagle Scout award on October 4, 2008, be given a Certificate of Recognition. Mr. Gaines requested he attend the next Board meeting to be recognized by the Supervisors.

Mr. Gaines announced the Board would be having an Executive Meeting to discuss legal issues at the conclusion of this meeting.

OPEN TO THE PUBLIC FOR QUESTIONS AND COMMENT

There being no other business, Mr. Toner made a motion to adjourn at 7:55 p.m. Mr. Bozarth seconded and the motion was carried.

Respectfully submitted,

Lynda Phiel
Township Secretary