



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING

April 22, 2019

7:00 p.m.

Approved

LOCATION: Temporary Township Administration Office  
415 Eagleview Boulevard, Suite 116  
Exton, PA 19341

In Attendance:

Board of Supervisors

Guy A. Donatelli, Chair

Sandra M. D'Amico, Vice-Chair

Jamie W. Goncharoff, Member

Township Administration

Cary B. Vargo, Township Manager

Shanna Lodge, Assistant Township Manager

Gwen A. Jonik, Township Secretary

Jill Bukata, Township Treasurer

John DeMarco, Police Chief

Al Gaspari, Codes Administrator

Mike Heckman, Director of Public Works

Josh Hagadorn, P.E., Gilmore & Associates

Mr. Donatelli called the meeting to order at 7:07 p.m., led the Pledge of Allegiance, offered a moment of silence and asked if any attendees were recording the meeting. There were no responses.

State Representative Danielle Friel Otten was in attendance.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve as presented the minutes of the March 12, 2019 Board of Supervisors Workshop. The Motion carried unanimously.

Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve as presented the minutes of the March 18, 2019 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve the payments to all vendors as listed April 11, 2019, totaling \$286,856.42. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's financial condition is strong; year to date revenues are at 27% of the budget and year to date expenses are at 20.2% of the budget; while it looks like the Police Department is over budget, that is not the case. Grant money was received last year that covered the new vehicle purchased this year. Mr. Goncharoff asked when the updates to the accounting manual and the personnel manual might be completed. Mrs. Bukata advised that she and Sandy Diffendal work on those manuals as their schedules allow. Mrs. D'Amico made comment regarding field use receivables.

Supervisor's Report

Mr. Donatelli announced that Executive Sessions were held April 9, 2019 regarding a legal matter, and April 15, 2019 regarding personnel. He read the following calendar: May 1, 2019 7:00 PM Zoning Hearing Board – Applicant RIP Holdings, LLC; May 14, 2019 4:00 PM Board of

Supervisors Workshop; May 20, 2019 7:00 PM Board of Supervisors Meeting; June 15, 2019 11<sup>th</sup> Annual Block Party on Route 100; Yard Waste Collection Dates – April 24, May 8, May 15, and May 22, 2019. Mr. Donatelli commended the Park & Recreation Board for the great job they did with the Easter Egg Hunt and Hickory Park Playground ribbon cutting – approximately 250 families attended and he thanked those families as 113 pounds of food was collected for the Chester County Food Bank.

#### Administration Reports

##### Township Engineer's Report

Josh Hagadorn reported that Windsor Baptist Church is revising their building addition plans before returning to the Planning Commission; the Planning Commission did not accept a plan submitted by Byers Station Parcel 5C commercial lot showing 15,000 SF commercial and 67 townhomes – all commercial space is to be encouraged.

##### Building and Codes Department Report

Al Gaspari reported that 57 building permits were issued last month, totaling \$36,767 in permit fees; the Zoning Hearing Board has scheduled a Hearing May 1 for RIP Holding's building addition; the past month has been centered on the Office move; and the water table is still high causing drainage issues.

Tammy Krumbhaar, of Meadowcreek Lane, has a shared easement that the neighbor, Energy Partners is using. It doesn't seem to be a utility easement and she's curious what rights she has. Mr. Donatelli postponed discussion to Open Session.

##### Police Chief's Report

Chief DeMarco reported that the Department handled 1,160 calls last month, including 182 traffic stops; registration is open for Junior Police Academy in June; the Department has moved to 520 Milford Road; the Department was re-assessed and has been Accredited for another 3 years.

##### Public Works Department Report

Mike Heckman reported that the Department completed 210 work orders, performed routine maintenance activities, responded to 2 snow/ice events, removed and cleaned plows and salt equipment, all seasonal employees from last year are returning and will start mowing as soon as they're done school, the new pole barn is complete other than pouring the concrete floor, and the Emergency Management Planning Commission may use Public Works for their meetings.

#### ADMINISTRATION

2019 Road Materials Contracts. Mike Heckman reported that bids were solicited for road materials, 3 bidders responded for bituminous concrete and 2 responded for coarse aggregate. He recommended that low bidder Glasgow Inc. be awarded the bituminous concrete contract at \$40,075 at plant / \$46,665 delivered if all material is bought, and that New Enterprise be awarded the coarse aggregate contract at \$5,862.50 at plant / \$9,260 delivered if all material is bought. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to accept the low bids and award the Contracts as recommended by Mike Heckman. The Motion carried unanimously.

##### Open Session

Jim Fehr, Meadowcreek Lane, commented on ponding on his property from the Meadowcreek wastewater treatment facility. It has been occurring all along but in recent years is increasing and needs to be corrected. Mike Heckman advised that his Department has been working over the last month to rebuild the electrical system to correct the flows. Cary Vargo said the Township is committed to fixing the System and Mr. Fehr can contact him directly with concerns.

Mrs. Krumbhaar made comments regarding concern with Sunoco's recent request for open trenching on the roadway and down the easement, their improper use of the easement as she

thinks it's a drainage easement so can they be stopped from using it, and Energy Transfer Partners isn't following through on promises. She was advised that she should seek Counsel if she thinks they're trespassing and township Staff would assist her with review of her property's land development plan.

Comments by Mitsy Cole, State Representative Danielle Friel Otten, Christina DiGiulio, Brian McDermott, Mr. Donatelli, Mr. Goncharoff, and several others include the following:

1. Sunoco needs to seek an NPDES permit to disturb the amount of ground they're proposing
2. the State and the County Conservation District work together on such Permits and Sunoco would have to file with the County as well
3. Sunoco is seeing how the community is receiving the proposal. They'll have to re-negotiate all easements
4. Sunoco is on hold by PaDEP because of problems elsewhere, they'll need a public comment period and a public hearing before they'd get through permit process
5. Sunoco would need a 50' easement from the Township if they're opening the road, and they'd have to go through Township zoning and permitting processes also.
6. Sunoco will try to work things out amicably at first with property owners and if not successful, they'll file for eminent domain.
7. Sunoco should've been able to more accurately study and identify problem areas the first time around.

Mr. Donatelli thanked Representative Friel Otten for attending. He offered the residents the Township's support as this project continues and encourages all residents to sign up in "NotifyMe" on the Township website to receive notifications and alerts from the website – there are a number of categories and you select the ones you want to receive.

#### Adjournment

There being no further business to be brought before the Board, Mr. Donatelli adjourned the Meeting at 8:12 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary