



TOWNSHIP OF UPPER UWCHLAN
BOARD OF SUPERVISORS
REGULAR MEETING,
CONDITIONAL USE HEARING

May 20, 2019

7:00 p.m.

Approved

(with minor revision in italics)

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

Al Gaspari, Codes Administrator

Mike Heckman, Director of Public Works

Dave Leh, P.E., Gilmore & Associates

Kristin Camp, Esquire

Mr. Donatelli called the meeting to order at 7:00 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.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve with a minor revision the minutes of the April 9, 2019 Joint Boards and Commissions Workshop. Mr. Goncharoff clarified a statement with the Solid Waste and Recycling Contract discussion. The Motion carried.

Mrs. D'Amico moved, seconded by Mr. Goncharoff, to approve as presented the minutes of the April 9, 2019 Board of Supervisors Special Meeting. The Motion carried unanimously.

Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve as presented the minutes of the April 22, 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 May 17, 2019. Mr. Goncharoff questioned the Comcast invoice, which Mr. Vargo explained was due to additional services needed with the Township Office relocation last month. Mr. Donatelli abstained from the payment to the Chester County Solid Waste Authority. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the Balance Sheet remains strong; year-to-date revenues are at 40.4% of the budget and year-to-date expenses are at 28.7% of the budget; earned income tax receipts are \$170,000 ahead of May 2018.

Supervisor's Report

Mr. Donatelli advised that Executive Sessions were held May 14, 2019 and May 20, 2019 regarding legal and personnel matters.

Mr. Donatelli advised that the Board has met with John Brehany who is interested in serving on the Historical Commission and has been recommended for appointment by the Historical Commission. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to appoint John Brehany to the Historical Commission for a 3-year term, which will expire December 31, 2021. The Motion carried unanimously.

Mr. Donatelli read the following published calendar: May 27, 2019 Township Offices closed ~ Memorial Day; June 11, 2019 4:00 PM Board of Supervisors Workshop; June 11, 2019 6:00 PM Conditional Use Hearing – Eagle Retail Associates; June 11, 2019 7:00 PM Conditional Use Hearing – Gunner Properties; June 15, 2019 6:00 PM – 11th Annual Township Block party on Route 100; June 17, 2019 7:00 PM Board of Supervisors Meeting and (tentatively scheduled) Amended PRD Plan Hearing for Vantage Point Retirement Living; yard waste collections May 22, 29, June 5, 12.

Administration Reports

Township Engineer's Report

Dave Leh reported that 4 conditional use applications have been received recently; Reserve at Chester Springs construction is winding down and the consultants are completing punch lists in preparation for dedication.

Building and Codes Department Report

Al Gaspari reported that 66 building permits were issued last month, totaling \$52,342 in permit fees; the Zoning Hearing Board met to hear a de minimis request by Profound Technologies for setbacks; attended an Eagle Scout ceremony; the Developer of the former Upattinas property has received the permit for wastewater treatment for all buildings - 7 laterals, solids stay on site, water goes to the Greenridge Plant. Mr. Gaspari advises the Developer is starting with the house – potentially 5 condos; Mrs. Camp advised the Declaration of Covenants states there will be 17-18 condos, total; an overall Plan hasn't been received by the Township.

Police Chief's Report

Chief DeMarco was called out on assignment.

Public Works Department Report

Mike Heckman reported that 191 work orders were received and completed; Staff has been trying to keep up with mowing duties – all seasonal employees are now available; potholes are being patching; new storm water controls installed on Gottier Drive; completed sidewalks at 520 Milford for the Police Department; roadside tree trimming; road materials bid awarded; road milling/paving specifications advertised. Mrs. D'Amico asked when the paving projects are finalized; Mike Heckman replied the roadways are included in the bid specs, @ 2.7 miles, and if need be, adjusted according to the bid amounts.

Mr. Goncharoff asked several questions. Mike Heckman replied that: 1) "no parking" on Senn Drive is keeping trucks from parking on the shoulder; PennDOT plans to re-grade the drainage

area on Byers Road; the floor and lighting will be added to the new public works pole barn later this year; and Gwen Jonik replied that the May Emergency Management Planning Commission meeting will be held in the Conference Room at 411 Eagleview Boulevard.

ADMINISTRATION

Mr. Donatelli introduced a Resolution regarding the prohibition of smoking on Township-owned properties. A Cub Scout Pack had proposed the subject during badge work – promoting health, increased air quality, and reduction in trash. The Board of Supervisors believes it helps promote good health. The Resolution prohibits smoking in/on Township property. The effective date may be phased in over time for some properties. An amendment to the Park & Recreation Ordinance is proposed as well, formalizing the prohibition of smoking in Township Parks and Recreation Facilities.

Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution # 05-20-19-03, prohibiting smoking in/on Township property, and to authorize advertisement of the Ordinance that will prohibit smoking in Township Parks and Recreation Facilities. Mr. Goncharoff noted the Ordinance included the prohibition of alcohol in Township Parks and Recreation Facilities, an existing regulation, and brief discussion followed regarding waivers/permits for special occasions. The subject will be researched. The Motion carried unanimously.

Solid Waste/Recycling Collection Contract(s). Mr. Vargo introduced a Resolution awarding the Solid Waste/Recycling Collection contracts for August 1, 2019 through July 31, 2022. Bids were received April 1, 2019, opened, and analyzed for the collection of solid waste, recyclables, bulk trash, freon items, leaf/yard waste. The proposed awards are to the low bidders in each category – solid waste, recycling – as follows: Advanced Disposal Services Eastern PA Inc. for solid waste, bulk trash, freon items, leaf/yard waste at \$1,236,592 for the 3-year contract, and A.J. Blosenski, Inc. for recycling at \$521,382.00 for the 3-year contract. The 2 contracts total \$1,757,974 for collection August 1, 2019 through July 31, 2022, a savings of @ \$40,000 over the 3 years versus awarding a single contract.

Jim Clark and Nick Rohr of A.J. Blosenski were in attendance and thanked the Board for the opportunity to continue serving Upper Uwchlan in whatever manner the Board chooses. The Board thanked them for providing such a high level of service.

Joe D'Aniello of Advanced Disposal was in attendance and appreciates the opportunity to serve Upper Uwchlan if the Board chooses to award the solid waste collection contract to them.

Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution #05-20-19-04, awarding the August 1, 2019 – July 31, 2022 solid waste collection contract to Advanced Disposal Services at \$1,236,592 and the recycling collection contract to A.J. Blosenski at \$521,382.00. The Motion carried unanimously.

Grant Funding Request – Act 537 Township-Wide Sewage Facilities Planning. Mr. Vargo summarized a Resolution authorizing Mr. Vargo to execute a request for grant funding from the Commonwealth Financing Authority for a matching funds grant to prepare a Township-wide sewage facilities plan. The Township's matching funds would be \$32,610.00 - total project cost is \$65,220.00. The Township has the Route 100 Corridor Sewage Facilities Plan (1999) and

several special studies over the years; this would be the first Township-wide Act 537 Sewage Facilities Plan. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to adopt Resolution #05-20-19-05, authorizing Cary Vargo to execute the Grant Funds Request. The Motion carried unanimously.

Application for Traffic Signal Approval – PennDOT TE-160 Application. Mr. Vargo advised this Resolution authorizes him to execute an Application for Traffic Signal Approval for maintenance and improvements to the signal at Route 100 and Park Road/Station Boulevard, such as ADA compliant ramps and ADA compliant pedestrian push buttons. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution #05-20-19-06, authorizing Mr. Vargo to execute PennDOT's Application. The Motion carried unanimously.

2019 Schedule of Fees Resolution. Resolution #05-20-19-07 proposed increased fees for trash and recycling totes (64-gallon size to \$59; 96-gallon size to \$64), to capture the Township's costs for the totes. These fees are for secondary or additional totes that residents may purchase. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution #05-20-19-07, increasing the tote fees. The Motion carried unanimously.

Open Session

Lou Lanzalotto, resident and Park & Rec Board member, made comment that Hickory Park lighting has been discussed, for the volleyball court, basketball courts and two of the baseball fields, potentially for Spring 2020; however, the entrance and parking at the Park isn't well lit. They'd like to discuss this in the Fall during budget preparations. There are @ 150 children playing ball at Hickory Park. The Board will include Hickory Park lighting during the 2020 Budget discussions.

There being no further regular business to be brought before the Board, Mr. Donatelli adjourned the business meeting at 7:45 PM, advised a brief recess would be taken, and the Conditional Use Hearing will begin shortly.

Conditional Use Hearing – Vail Application

Mr. Donatelli called the Conditional Use Hearing to order at 7:49 PM and advised that the Vails seek conditional use approval to construct within precautionary slopes a sanitary sewer drain field for their new construction house – 250 Moore Road. Mr. Donatelli asked Kristin Camp, Esq., to conduct the Hearing. Mark Hagerty, Court Reporter, recorded the proceedings. *The Court Reporter's transcript is the official Record of the Hearing.*

Ms. Camp read into the Record the following Board of Supervisors' Exhibits:

- B-1 Conditional Use Application dated April 26, 2019
- B-2 Proof of Publication
- B-3 Affidavit of Posting
- B-4 Gilmore & Associates review letter dated May 9, 2019
- B-5 Aerial map of the property

Ms. Camp asked if anyone was interested in becoming a Party to the Proceeding – there were no responses.

John Jaros, Esq., representing the Vails, distributed Exhibit packets, which were entered into the Record. Adam Brower of E.B. Walsh was sworn in by Mr. Hagerty and provided testimony on the project.

At the conclusion of testimony, Mr. Donatelli moved, seconded by Mr. Goncharoff, to approve the Conditional Use, conditioned upon:

1. The testimony provided this evening;
2. Adequate erosion and sedimentation controls are monitored by the Consultants;
3. Applicant complies with Township Codes §200-107.E regarding reporting requirements.

Ms. Camp will memorialize the Approval. The Motion carried unanimously.

There being no further business to be brought before the Board, Mr. Donatelli adjourned The Hearing at 8:01 PM.

Respectfully submitted,

Gwen A. Jonik
Township Secretary