



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS MEETING

December 16, 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

Shanna Lodge, Acting 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

Dave Leh, P.E., Gilmore & Associates

Kristin Camp, Esq., Township Solicitor

Mr. Donatelli called the meeting to order at 7:00 p.m., led the Pledge of Allegiance, offered a moment of silence and announced that Mr. Goncharoff would be arriving shortly. No one planned to video or audio record the meeting. This is Mr. Donatelli's last public meeting, as he retires from serving as a Township Supervisor. He has served 2 terms, 12 years.

Approval of Minutes

Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve as presented the minutes of the November 12, 2019 Board of Supervisors and Draft 2020 Budget Workshop. The Motion carried unanimously.

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

Approval of Payments

Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve the payments to all vendors as listed December 12, 2019. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the balance sheet remains strong; year-to-date revenues are at 103.3% of the Budget; year to date expenses are at 87.3% of the Budget; earned income tax revenue is at 103.0% of the Budget (\$300,000 over budget as of December 13); real estate taxes are \$120,000 over budget.

Supervisor's Report

Mr. Donatelli announced that Executive Sessions were held December 9 and 10, 2019 and another will be held December 17, 2019 regarding personnel matters.

Mr. Donatelli read the following calendar, wished everyone Merry Christmas, Happy New Year, and introduced Supervisor-Elect Jenn Baxter. December 25, 2019 Office Closed ~ Christmas Day; January 1, 2020 Office Closed ~ New Year's Day; January 6, 2020 7:00 PM Board of Supervisors Annual Organization Meeting; January 21, 2020 (Tuesday) 7:00 PM Board of Supervisors Meeting;

Yard waste / Christmas tree collections: December 18, 2019, January 2, 2020 (Thursday) and January 15, 2020.

### Administration Reports

#### Township Engineer's Report

Dave Leh reported that revised land development plans have been received for Starbucks, revised plans for Byers Station Parcel 6C – Vantage Point Retirement Living are being reviewed, a pre-construction meeting was held for The Preserve at Marsh Creek (McKee – Feters project) and they've started placing erosion and sedimentation controls.

#### Building and Codes Department Report

Al Gaspari reported that 36 building permits were issued totaling \$10,623 in permit fees; 2 Zoning Hearings were held December 11 -- Little Harvard, seeking relief for a daycare on Byers Road, and the Hankin Group seeking a variance for outdoor storage tanks. Both Applications were denied. The Township building parking lots and driveway are being paved; fit-out plans have been received for the Starbucks in Eaglepointe Shopping Center; and the time on the CVS clock has been corrected - Kristin Camp noted that there are 2 sections in the property maintenance code that address the topic and the Township doesn't have to draft an ordinance to address it.

#### Police Chief's Report

Chief DeMarco reported that the Department handled 1,139 calls; issued 101 traffic citations; there were 13 reported crimes; 1 arrest.

Officers Davis and Paradis, Detective Jones and Corporal Carr were in attendance. Detective Jones, President of the collective bargaining unit, presented Mr. Donatelli with a plaque from the Association recognizing Mr. Donatelli as a dedicated member of the Board of Supervisors, a liaison to the Police Department, a true friend to the Department.

#### Public Works Department Report

Mike Heckman was out on the road, keeping tabs on conditions due to the weather. Shanna Lodge reported on his behalf that 141 work orders were received and completed and the Department is prepared to respond to winter weather events.

#### Land Development

160 Park Road – Eagle Village Parking Expansion Escrow Releases #1 and #2. Gilmore and Associates reviewed both escrow release requests and recommends approving release #1 for \$82,796.28 and #2 for \$24,303.72 for this project. Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve both releases as recommended. The Motion carried unanimously.

### ADMINISTRATION

Drainage Easement Agreement – 6 Meadow Creek Lane. Shanna Lodge advised that there have been storm water issues on the Fehr's property, next to the Meadow Creek wastewater treatment facility. This Easement Agreement grants an easement to the Township for the installation and maintenance of a subsurface storm water drainage pipe to address flooding on the Fehr property. The Township Solicitor prepared the Agreement and it was reviewed by the Fehrs and the Township wastewater engineer. The Fehrs were present and agree to the easement. If any problems occur in the future, this easement allows the Township to access the area and resolve the issue. Mrs. D'Amico moved, seconded by Mr. Donatelli, to approve and execute the Drainage Easement Agreement. The Motion carried unanimously. A short recess was taken to allow for the Fehrs to execute the Agreement.

Traffic Signal Easement Agreement – Chester Springs Crossing (Milford Road extension at Pottstown Pike). Shanna Lodge advised that a traffic signal easement agreement between Toll Brothers and the Township has been drafted, that if a traffic signal is warranted in the future at the intersection of Milford Road extension at Pottstown Pike/Route 100, the easement will already be

available and recorded. A traffic signal is not warranted at this time, and as Kristin Camp noted, an easement for a future traffic signal was a requirement of the Conditional Use Approval for the project, previously known as the Jankowski Tract. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve and execute the Traffic Signal Easement Agreement. The Motion carried unanimously.

Township Building Renovation – Authorize Change Order for Paving Scope of Work. Mr. Donatelli advised that the Board was made aware and has been discussing additional paving at the Township building. The existing parking areas are quickly deteriorating, and it would be more efficient to pave those areas as the new parking areas are being paved. The extra paving is estimated at \$55,969, the Board has reviewed and approved the scope of work. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to approve the change order for additional paving at \$55,969.00. The Motion carried unanimously.

Township Building Renovation – Authorize Purchase Order for Interior Office Furniture. Shanna Lodge advised that quotes have been received for all interior office furniture, totaling \$104,140.12, which is lower than the budgeted capital expenditure, due to using Co-Stars (State Purchasing Program) vendors. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to authorize the purchase of the office furniture for the Administration and Police Departments at \$104,140.12. Mr. Goncharoff asked how the vendors and furniture were selected, and about the warranties. Ms. Lodge advised that, with assistance by the architect, an interior decorator was selected, and a committee of Staff selected the furniture colors and layout. The manufacturers' warranties will be researched before the purchase orders are sent. We'll need to place the orders early February for delivery in the Spring. Mr. Donatelli moved, seconded by Mr. Goncharoff, to accept the Proposals and task Ms. Lodge and Ms. Camp to investigate and modify the choice of forum and ensure that the warranties are customary for a furniture purchase. Mr. Goncharoff wants to review the warranties prior to sending the purchase orders. The Motion carried unanimously.

#### Ordinance Amendments

DROP Ordinance Amendment. Mr. Donatelli advised that the Police Department has a DROP (Deferred Retirement Option Program) Ordinance in place and this amendment extends the time for an Officer who has opted to participate in the DROP to resign from employment from 4 to 5 years from the date of opting into the DROP. Kristin Camp advised the Ordinance amendment was duly advertised. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to adopt Ordinance #2019-05 amending the DROP Ordinance. The Motion carried unanimously.

Alternative Energy Systems Amendment. Ms. Lodge advised that the original amendment to the Alternative Energy System Ordinance proposed eliminating aesthetic requirements for rooftop solar arrays. The Ordinance was further revised over the past several months at the request of the Planning Commission and includes new defined terms, adds provisions and eliminates aesthetic requirements. Kristin Camp advised this amendment was also duly advertised. Ms. Lodge noted an error to be corrected on Page 2: Section 77-3.B.(2) should reference Section 77-7. Planning Commission member Joe Stoyack, who was instrumental in drafting the amendments, was in attendance and advised the Board that he, Al Gaspari and Ms. Camp had met to work on the various revisions. Mr. Stoyack commended Mr. Gaspari's experience and Ms. Camp's expertise. This Ordinance is 10 years old and needed to be updated. There are @ 30 Chester County municipalities with alternative energy ordinances and he reviewed most of them. Upper Uwchlan's ordinance will now include net metering, which in the event more power is generated than needed, the homeowner gets a credit – these systems are to be an accessory use to the principal residential dwelling and are to be designed for a maximum 125% of the household or principal use being generated; the General Provisions are more organized; the Township has the right to inspect the interconnectivity between the home and the PECO panel to make sure it's safe and connected properly. The Planning Commission intends to re-visit the Ordinance early in 2020 to address future technologies and/or systems that are not currently addressed from being automatically approved. This Ordinance should be reviewed periodically to adjust for new technologies, new materials and

for safety measures. The Board thanked Mr. Stoyack for the time and effort he devoted to these amendments.

Mrs. D'Amico moved, seconded by Mr. Goncharoff to adopt Ordinance #2019-06 with the typo on Page 2 corrected, amending the Alternative Energy Systems Ordinance, Chapter 77 of the Township Code. The Motion carried unanimously.

2020 Budget Resolution. Mr. Donatelli announced that following the efforts of Jill Bukata and the Staff, the 2020 Operating Budget totals \$12,486,112.00, the 2020 Millage Rate remains 1.034 Mills, consisting of .784 Mills for general purposes and .25 Mills for emergency services, and the Hydrant Fee remains at .087 Mills. The 2020 Budget includes no tax increase, no increase in the annual trash/recycling fee (\$315), 3% salary increases, the completion of the renovation/expansion of the township building, etc. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution # 12-16-19-13, establishing the 2020 Budget at \$12,486,112, establishing the 2020 Millage Rate at 1.034 Mills and establishing the Hydrant Fee at .087 Mills. The Motion carried unanimously.

2020 Pension Plan Contribution Resolutions. Mr. Goncharoff moved, seconded by Mr. Donatelli, to adopt Resolution #12-16-19-14 establishing the Uniformed employee's 2020 Pension Plan contribution rate at 5%. The Motion carried unanimously. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to adopt Resolution #12-16-19-15 establishing the Non-Uniformed employee's 2020 Pension Plan contribution rate at 5%. The Motion carried unanimously.

457 Deferred Compensation Plan – Re-Statement of Plan Document. Shanna Lodge explained that the 2020 Budget includes funding for the Township to provide an Employer Match to the employee's contribution to the 457 Deferred Compensation Plan, as follows -- 100% match up to maximum \$1,000 in 2020; \$1,500 in 2021; and \$2,000 in 2022. Mrs. D'Amico moved, seconded by Mr. Goncharoff, to adopt Resolution #12-16-19-16, adding the Employer Match to the 457 Deferred Compensation Plan. The Motion carried unanimously.

2020 Fee Schedule. The only revisions to fees for 2020 were increases in the Civil Engineer's, Wastewater Engineer's and Planner's hourly rates, and the Municipal Authority's, Zoning Board's and Alternate Township Solicitors' hourly rates. Mr. Donatelli moved, seconded by Mrs. D'Amico, to adopt Resolution #12-16-19-17 establishing the 2020 Fee Schedule. The Motion carried unanimously.

2019 Emergency Services Providers. Shanna Lodge advised that there are no changes in emergency service providers' coverage, companies, or territories. Mr. Goncharoff moved, seconded by Mrs. D'Amico, to adopt Resolution #12-16-19-18 which designates Lionville Fire Department, Ludwig's Corner Fire Department, East Brandywine Fire Department, Glen Moore Fire Department, Uwchlan Ambulance Corps, Minquas Ambulance, and the Township Police Department as emergency services providers, and Byron Nickerson is the designated Emergency Management Coordinator for Upper Uwchlan Township in 2020. The Motion carried unanimously.

#### Open Session

Richard Ruth wished everyone a fire-safe Holiday season; there had been a fire in Reserve at Eagle yesterday, and fortunately, it damaged only a bedroom and some siding.

#### Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico moved to adjourn the meeting at 8:12 p.m., Mr. Donatelli seconded, all were in favor.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary