



UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
September 21, 2020  
7:00 p.m.  
**Approved**

**LOCATION:** This was a virtual meeting, held via Zoom video/audio conferencing, in order to minimize public exposure to COVID-19 and maintain social distancing. The meeting's Public Notices instructed those interested in participating in the meeting to email or call the Township Manager for the link and password to join in the meeting.

**In Attendance:**

Board of Supervisors

Sandra M. D'Amico, Chair  
Jamie W. Goncharoff, Vice-Chair  
Jennifer F. Baxter, Member

Kristin Camp, Esq., Township Solicitor

Tony Scheivert, Township Manager  
Shanna Lodge, Assistant Township Manager  
Gwen Jonik, Township Secretary  
Jill Bukata, Township Treasurer  
John DeMarco, Police Chief  
Mike Heckman, Director of Public Works  
Dave Leh, P.E., Gilmore & Associates  
Rhys Lloyd, Building Code Official  
Anthony Campbell, Zoning Officer

Sandy D'Amico called the meeting to order at 7:00 pm, led the Pledge of Allegiance and offered a moment of silence. Steve McNaughton commented he might record the meeting. There were 16 citizens in attendance.

Approval of Minutes

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve as presented the minutes of the August 11, 2020 Board of Supervisors Workshop. The Motion carried unanimously.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve as presented the minutes of the August 17, 2020 Board of Supervisors Meeting. The Motion carried unanimously.

Approval of Payments

Mrs. Baxter moved, seconded by Mr. Goncharoff, to approve the payments to all vendors as listed September 18, 2020. The Motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's finances remain strong; year to date revenues are at 75.4% of the budget; year to date expenses are at 59.9% of the budget.

Mrs. Bukata requested authorization to transfer \$518,000 from the General Fund to the Capital Fund in accordance with the 2020 budget. Mrs. Baxter moved, seconded by Mr. Goncharoff, to authorize that transfer. The Motion carried unanimously.

Supervisor's Report

Paul Mattes, President and Fire Chief Jeff Kimes of Ludwigs Corner Fire Company were present to introduce themselves to the Supervisors and Staff. There was a change in leadership and they're trying to visit the townships they serve; they continue to be an all-volunteer fire company – there's no paid staff; they're working on their 2021 budget and call to attention that the increase in population and increase in home values; over the years, their call volume has doubled; they have a task force planning ahead for equipment replacements in the next few years; they're making

some progress with younger members volunteering but they can always use more, even for non-firefighting tasks.

Shanna Lodge introduced 2 upcoming Park & Rec Board events: a Halloween night drive-up movie night at Hickory Park and the 4<sup>th</sup> Annual Tree Lighting at Upland Farms Park, which includes "Light UP Upper Uwchlan". More details on the website and social media.

Mrs. D'Amico read the following calendar: October 10, 2020 Electronics waste event has been cancelled and will not be rescheduled in 2020; October 13, 2020 4:00 PM (time might change) Board of Supervisors / Draft 2021 Budget Workshop; October 19, 2020 7:00 PM Board of Supervisors Meeting; and the yard waste collection dates are September 23, October 7, 14, 21, and 28.

#### Administrative Reports

##### Township Engineer's Report

Dave Leh reported that the Townes at Chester Springs are working their way through punch list items; and a land development application was submitted for Eagleview Lot 9 UTI / Frontage building modifications.

##### Building and Codes Department Report

Rhys Lloyd reported that 76 building permits were issued in August, totaling \$78,302 in permit fees. The Department is quite busy; we are pleased to have Anthony Campbell join the staff full-time next week.

##### Police Chief's Report

Chief DeMarco reported the Department handled 1,302 calls, including 15 criminal offenses; the severe storm early August knocked out power and flooding prompted road closures -- kudos to Public Works for how they responded during the storm; the new ATV is in service, traveling the trails and getting around the communities to distribute promotional items such as water bottles, sunglasses, dog treats; and Chief DeMarco thanked the Board for continuing support of the accreditation program and participating in the firearms simulator for training and use of force education.

##### Public Works Department Report

Mike Heckman reported that the Department received and completed 191 work orders, prepared for and responded accordingly during the early August storm – road closures, tree removal from roadways, assuring that traffic signals on battery backup then transferred to generators; unclogged stormwater pipe in Windsor ridge; paving activity is still underway.

##### Land Development

Windsor Baptist Church Final Land Development Plan. Dave Leh introduced the Final Plan for the Church's 8,600 SF building addition for the school and removal of the temporary classrooms. Preliminary Plan approval had been granted by the Board November 2019. Phil Marks, representative of the Church and Tom Ludgate of Ludgate Engineering were in attendance.

Tom Ludgate advised that the biggest change from the Preliminary Plan is that the Final Plan includes the sidewalk/trail along Park Road, which they had previously requested be waived. If the waiver isn't granted, they'd like to delay the construction of that sidewalk/trail until later in the project. At the current time, construction of a trail at the corner of Park Road and Little Conestoga Road would require a retaining wall, which adds @ \$75,000 to the costs. Later in the project, they plan to raze the parsonage and garage (which are currently used for storage) and regrade the corner, then the retaining wall wouldn't be needed. They will address all other consultants' comments. They have a \$25,000 escrow to assure the removal of the temporary classrooms and could leave that in escrow for up to 5 years for the trail construction. Another option would be to get a Letter of Credit for the removal of the parsonage and installation of the trail in the future.

The Church hasn't yet raised all the funds for the building addition; no construction timeline is set though they hope they could begin construction in 6 months. If the Church doesn't proceed with the building addition/land development, they would not be required to install the sidewalk/trail. There was no further discussion.

Chester Springs Crossing Escrow Release #4 - Site Improvements. Dave Leh summarized Toll Brothers' escrow release request of \$116,951.18 for completion of public site improvements such as storm water management and paving/curbing the sidewalk and walking trail. Gilmore & Associates reviewed the request and recommended the release. Mrs. Baxter moved, seconded by Mr. Goncharoff, to approve the release of \$116,951.18 for this project. The Motion carried unanimously.

Chester Springs Crossing Financial Security and Development Agreement Extension. Toll Brothers is requesting an extension until April 30, 2023 of the public improvements Agreements and Bonds for this development as they won't be able to complete all improvements in the time frame within the Agreements. Kristin Camp noted the Bonds for this project are in effect until formally terminated. Mr. Goncharoff was concerned with extending the Agreements 3 more years. Alyson Zarro, Esq., advised the project is moving along, the extension date is based on the projected sales of the homes, and for a larger development, 1 or 2 years is unrealistic. Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve the extension of the Financial Security and Development Agreements to April 30, 2023. The Motion carried unanimously.

Reserve at Chester Springs Financial Security and Development Agreement Extension. Toll Brothers is requesting an extension until December 31, 2020 of the public improvements Agreements and Bonds for this development as there are a few punch list items to complete before the term on the Agreements expires. Alyson Zarro, Esq., noted the sanitary sewer infrastructure in the roadways for the 61 single-family homes has been dedicated. They hope to complete the 2 stream crossings and a temporary cul-de- sac and offer for dedication by the end of the year.

Mr. Goncharoff moved, seconded by Mrs. Baxter, to approve the extension of the Financial Security and Development Agreements to December 31, 2020. The Motion carried unanimously.

Byers Station Parcel 5C Lot 1 Residential Financial Security, Development Agreement Extension. Toll Brothers is requesting an extension until November 1, 2022 of the public improvements Agreements and Bonds for Parcel 5C Lot 1 – The Villages at Chester Springs. Alyson Zarro, Esq., explained that they think they'll be done constructing the 121 townhomes, common facilities and the roadways (private) in late 2021, however some of the storm water basin work is involved in Phase 2 - Lot 2 Commercial, so they're asking for the extension to November 1, 2022. Mrs. Baxter moved, seconded by Mr. Goncharoff, to approve the extension of the Financial Security and Development Agreements to November 1, 2022. The Motion carried unanimously.

## ADMINISTRATION

PennDOT Winter Services Agreement Resolution. Tony Scheivert introduced Resolution # 09-21-20-11 approving a 5-year agreement for the township to perform winter maintenance on PennDOT's section of Graphite Mine Road. PennDOT pays standard mile rate for this activity and this is updating the term of our Agreement. Mr. Goncharoff moved, seconded by Mrs. Baxter, to adopt Resolution #09-21-20-11 approving the winter maintenance agreement with PennDOT for winter seasons 2020-2021 through 2024-2025. The Motion carried unanimously.

2021 Pension Plan Minimum Municipal Obligation. Jill Bukata advised that the township is required to be informed of what obligations we have to fund the pension plans. For 2021, using the market value option, the Uniformed Employee Pension Plan would be \$257,095; the Non-Uniformed Employee Plan \$79,051; and the Defined Contribution Plan is \$22,000. Mr. Goncharoff questioned using the market value versus the smoothing option. Mrs. Bukata noted the market value is a healthier option for the strength of the Plan, keeping it funded to our best

ability. Mrs. Baxter moved, seconded by Mr. Goncharoff, to fund the Plans at the above-mentioned amounts. The Motion carried unanimously.

Outdoor Storage Tank Ordinance – Amendments. Kristin Camp, Esq., advised that this draft incorporates the Board's most recent comments, proposing to allow above ground storage tanks for storage of inert gases, water, brine and other nonflammable, nonhazardous and nonexplosive liquids and gases as an accessory use in the Planned Industrial/Office District (PI); add regulations for the storage of fuel and other explosive material; includes additional safety measures to the Highway Commercial District (C3) and the Limited Industrial District (LI), where they're currently allowed; scales back the types of materials that can be stored in the PI district. If the Board favors this draft, the next step is review by the County Planning Commission. Discussion included: amendments are being considered in the PI District for businesses interested in locating in Eagleview Corporate Center; tanks shouldn't be located on the residential side of any building; add safety measures for the tanks that are already in place in Eagleview; who inspects tanks and how frequently; how to clarify hazardous from nonhazardous; this draft amends small portions of the overall storage tank ordinances – other sections speak to setbacks, screening, landscaping, etc.; the NFPA (National Fire Protection Association) deals with all types of gases, if they're inert, etc.; the permit could list specifically what tank and material has been approved; remove ambiguity and reference the proper schedules or classifications of materials. The Board wants further clarification on these issues before taking any further steps.

Open Session

Steve McNaughton ask what to do if political signs are stolen. Tony Scheivert will check with Chief DeMarco and advise.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the meeting at 9:03 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary