



UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS
MEETING

October 17, 2022

7:00 p.m.

Approved

Attending:

Board of Supervisors

Sandra M. D'Amico, Chair
Jennifer F. Baxter, Vice-Chair
Andrew P. Durkin, Member

Township Administration

Tony Scheivert, Township Manager
Gwen Jonik, Township Secretary
Jill Bukata, Township Treasurer
John DeMarco, Chief of Police
Rhys Lloyd, Director of Building & Codes
Anthony Campbell, Zoning Officer
Dave Leh, Township Engineer
Lt. Jones
Cpl. Carr
Ofc. Stiteler

Kristin Camp, Esq., Township Solicitor

The Meeting was held at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425. Mrs. D'Amico called the meeting to order at 7:01 p.m., led the salute to the flag and offered a moment of silence. No one planned to record the meeting.

Approval of Minutes

Mrs. Baxter moved, seconded by Mr. Durkin, to approve as presented the minutes of the September 13, 2022 Joint Boards and Commissions Workshop and the September 19, 2022 Board of Supervisors Meeting. The motion carried unanimously.

Approval of Payments

Mrs. Baxter moved, seconded by Mr. Durkin, to approve the payments to all vendors listed October 13, 2022. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported the Township's financial position remains strong; we are 75% through the budget year; year-to-date revenues are at 90.1% of the budget; year-to-date expenses are at 65.9% of the budget; earned income tax revenue is @ \$58,000 higher than this time last year; \$620,708 in American Rescue Plan funds were received in September.

Mrs. Bukata requested the Board's authorization to transfer \$100,000 from the Solid Waste Fund to the Capital Fund as was included in the 2022 Budget. Mrs. Baxter moved, seconded by Mr. Durkin, to authorize the transfer of \$100,000 from the Solid Waste Fund to the Capital Fund. The motion carried unanimously.

Supervisor's Report

Mrs. D'Amico introduced Police Chief Lee Benson, of the Pennsylvania Police Accreditation Coalition, who presented Chief DeMarco with a plaque memorializing the Department's re-accreditation. Corporal Carr handles a tremendous amount of the workload toward the accreditation, which means to enhance the quality of law enforcement services in the Commonwealth. Chief DeMarco thanked Corporal Carr and Lieutenant Jones for their work to achieve this goal. Only @ 10% of Pennsylvania Police Agencies are accredited. It takes approximately 2 years to go through the process of initial accreditation, which we accomplished in 2016 and then the Department is reassessed every 3 years.

Mrs. D'Amico announced Chief DeMarco's retirement from the Department, effective October 31, 2022. He began his 36-year career in Upper Uwchlan in 1986 as the only Officer. Lt. Jones will be acting as the interim Chief.

Mrs. D'Amico also announced that Lindsay Yeager is filling the position of Assistant to the Township Manager and Parks Director.

Mrs. D'Amico read the published calendar as follows: October 22, 2022 9:00 a.m.-Noon E-Waste Drop Off, Shredding Event at Public Works at 132 Oscar Way – Township residents only – registration for E-Waste required; October 29, 2022 3:00-5:00 p.m. Trunk or Treat at Hickory Park, 351 Park Road.; November 8, 2022 Election Day – polls are open 7:00 a.m. – 8:00 p.m.; November 15, 2022 4:00 p.m. Board of Supervisors and Draft 2023 Budget Workshop; November 21, 2022 7:00 pm. Board of Supervisors Meeting; November 24-25, 2022 Office Closed ~ Thanksgiving Holiday; Yard waste collection dates are October 19, 26, November 2, 9, 16 and 30.

Administration Reports

Township Engineer's Report

Dave Leh reported that Byers Station Parcel 6C (Vantage Point Retirement Living/Fieldstone at Chester Springs) is under construction, completed the survey for the Hickory Park improvement project and are working with YSM Landscape on the design, the remainder of John Diamant's land development project at 128 Byers Road, partially completed in 2008, is moving forward with the building construction.

Building and Codes Department Report

Rhys Lloyd reported that it's been another busy month with 73 permits issued, totaling \$46,053 in permit fees. The Department completed 181 scheduled inspections, 10 resale inspections, 10 new houses settled, fire safety inspections continue, and zoning complaints have decreased.

Police Chief's Report

Chief DeMarco reported that 1,196 incidents were logged last month, and he reminded residents to watch out for trick or treaters on Halloween.

Public Works Department Report

Tony Scheivert reported the Department completed 171 work orders, the road milling and paving projects were completed mid-September, Sunoco will pave the roads they disturbed during their Marsh Creek Lake spill cleanup, and no snow plowing bids were received for a second time. We're working out details with a party interested in assisting us with plowing.

ADMINISTRATION

Act 57 Tax Collection Law – Resolution. Kristin Camp advised Act 57, signed into State law in July, allows a new homeowner a waiver from penalties if they didn't receive their tax bill in the first year they lived there. The homeowner has to submit a Form requesting the waiver of penalties/late fees. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #10-17-22-08** establishing the process and procedures by which taxpayers may seek a waiver of late payment penalties for real estate taxes. The motion carried unanimously.

Outdoor Dining Ordinance. Kristin Camp entered the following Exhibits for the Outdoor Dining Ordinance to be reflected in the minutes:

B-1 Proof of publication in the Daily Local News – September 26 and October 3, 2022;

B-2 Email dated September 16, 2022 from Jill Kirk to the Chester County Law Library and Daily Local News providing proposed amendment for public inspection;

B-3 Minutes from Township Planning Commission Meeting held September 8, 2022;

B-4 Chester County Planning Commission review letter dated August 10, 2022;

B-5 Chester County Planning Commission review letter dated September 22, 2022.

The Township Planning Commission had suggested this Ordinance amendment to remove the prohibition of drive-throughs and walk-up ATM machines at banks in the C-1 District, to add restaurants and restaurants with drive-through service as a by-right use in the C-1 District and to add outdoor dining regulations to the Code. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Ordinance #2022-06**, amending the Code of Upper Uwchlan Township as described above. The motion carried unanimously.

Re-codification of the Township Codes. Kristin Camp explained that General Code recently completed a recodification of the Township Codes, originally codified in 2006. Most of the changes were correcting typographical and grammatical errors, however there were changes to a few Subdivision/Land Development and Zoning Ordinances, which required the County Planning Commission's review. The list of changes (Schedule "A") accompanied the Ordinance approving the re-codification. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Ordinance #2022-07**, approving the re-codification of the Code of Upper Uwchlan Township. The motion carried unanimously.

Act 167 Stormwater Management Ordinance – Introduction. Kristin Camp noted that Chester County had adopted a county-wide stormwater ordinance in 2013, following the amendments to the State's stormwater regulations. The State (PaDEP) updated their regulations, and the County updated their model ordinance. Construction and impervious surface calculations are based on these regulations. The County adopted the new ordinance in February 2022 and all municipalities with Municipal Separate Storm Sewer Systems (MS4) permits in the County are required to adopt the ordinance. The Chester County Water Resources Department's website shows the details of the changes. The previous regulations are working so the Township is changing very little. The definition of impervious surface is up for amendment because we don't want to count decks and pools as impervious surfaces – decks and pools don't contribute to stormwater runoff; however, they'll still get reviewed during the building permit process to make sure the surface under the deck is pervious. One thousand (1,000) SF of impervious surface is the threshold to require a stormwater management system. Gilmore & Associates inspects the systems as outlined in the best management practices (BMP) operation and maintenance agreements that homeowners sign when stormwater management is necessary. The frequency of the inspections is increasing to every year for the first 5 years, then every 3 years thereafter. The inspection responsibility and associated costs will be decided prior to the Ordinance adoption. Most likely Upper Uwchlan will continue to have Gilmore & Associates inspect the facilities and invoice the property owner. The typical inspection runs 1-1.5 hours. Mr. Scheivert noted the Ordinance will be advertised for adoption at the December Supervisors meeting.

Windview Athletic Fields – Hickory Park Field Improvements – Accept Proposal. Mr. Scheivert reviewed a proposal from Windview Athletics to complete infield renovations at Hickory Park. They are an approved vendor through the State's Co-Stars purchasing program. The proposal totals \$66,000 for removing existing infield grass, rebuild mounds and home plates, new infield mix, and laser leveling of the 3 baseball fields at the Park. GEYA is contributing \$10,000. The work can be accomplished in November. Mrs. Baxter moved, seconded by Mr. Durkin, to accept the proposal as described above. The motion carried unanimously.

Open Session

Mr. Scheivert advised that the November Supervisors Workshop will be postponed from November 8, 2022, Election Day to November 15, 2022.

Naresh Tulluru made comment on the Villages at Chester Springs transition punch list. He thanked the Board of Supervisors, Township Manager, Ms. Camp, and Dave Leh for visiting the community and assisting with their transition from the developer to the Homeowners Association. There are only 3 items that are within the Township's authority to intervene with the developer to repair. He requested we take another look at the stormwater management facilities and erosion from the hillside on the Route 100 side to assure they were built according to the Plan.

Steve Egnaczyk asked how residents will know when Toll Brothers has submitted a Zoning Hearing Application for their 100 Greenridge Road project. Mr. Scheivert explained the public notice will be published in the Daily Local News, posted on the Township website calendar, and residents with property within 500' of the subject property will receive notice in the mail.

Naresh Tulluru inquired of the vacancy on the Technology Advisory Board (TAB). Gwen Jonik advised there are several candidates to be interviewed by the TAB members.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the Meeting at 8:12 p.m.

Respectfully submitted,

Gwen A. Jonik
Township Secretary