



UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS MEETING  
December 19, 2022  
7:00 p.m.  
**Approved**

Attending:

Board of Supervisors

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

Kristin Camp, Esq., Township Solicitor

Township Administration

Tony Scheivert, Township Manager  
Gwen Jonik, Township Secretary  
Jill Bukata, Township Treasurer  
Corporal Kyle Sherman  
Rhys Lloyd, Director of Building & Codes  
Anthony Campbell, Zoning Officer  
Dave Leh, Township Engineer

The Meeting was held at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425. Mrs. D'Amico called the meeting to order at 7:03 p.m., led the salute to the flag and offered a moment of silence. No one planned to record the meeting. There were 5 citizens in attendance. Mrs. D'Amico announced that an Executive Session was held earlier this evening regarding personnel.

Approval of Minutes

Mrs. Baxter moved, seconded by Mr. Durkin, to approve as presented the minutes of the November 15, 2022 Board of Supervisors and Draft 2023 Budget Workshop and the November 21, 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 as listed December 15, 2022. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported that the balance sheet remains strong; year-to-date revenues are at 102.8% of the budget; year-to-date expenses are at 83.1% of the budget; earned income tax revenue is \$674,500 over budget for the year.

Supervisor's Report

Mrs. D'Amico reported that (3) residents were interviewed regarding their interest in serving on Township Boards and Commissions. Mrs. Baxter moved, seconded by Mr. Durkin, to appoint: Tom Sullivan as Alternate to the Zoning Hearing Board, with his term expiring December 31, 2025; Joe Ceribelli as Zoning Hearing Board Member (previously the Alternate); Rina Vachhani to the Historical Commission, with her term expiring December 31, 2024 (filling mid-term vacancy); Joe Samarco to the Municipal Authority, with his term expiring December 31, 2023 (filling mid-term vacancy). The motion carried unanimously.

Police Liaison Report. Mrs. D'Amico met with Interim Chief Tom Jones, and they reviewed the organization's structure. The department is working well through the changes since Chief DeMarco's retirement in October.

Mrs. D'Amico read the following calendar and yard waste/Christmas tree collection dates: December 23, 2022 Office Closing at 1:00 p.m.; December 26, 2022 Office Closed ~ Christmas

Day observed; December 30, 2022 Office Closing at 1:00 p.m.; January 2, 2023 Office Closed ~ New Year's Day observed; January 3, 2023 7:00 p.m. Board of Supervisors Annual Organization Meeting; January 4, 2023 9:00 a.m. Elected Auditors Annual Organization Meeting; January 10, 2023 4:00 p.m. Board of Supervisors Workshop; January 16, 2023 Office Closed ~ Martin Luther King, Jr. Day; January 17, 2023 (Tuesday) 7:00 p.m. Board of Supervisors Meeting; Christmas Tree and yard waste collection dates: December 28, 2022, January 4 and January 18, 2023.

#### Administration Reports

##### Township Engineer's Report

Dave Leh reported that Hankin submitted a sketch plan for a flex building in Eagleview Corporate Center Lot 1A. The Planning Commission reviewed the sketch and Hankin will prepare a land development plan in the near future; the preliminary plan for P.J. Reilly's proposal at 301 Park Road was reviewed by the consultants and needs to be revised before returning to the Planning Commission.

##### Building and Codes Department Report

Rhys Lloyd reported that 45 building permits were issued last month, totaling \$21,304 in permit fees; the department completed 147 scheduled inspections; 13 resales inspections; 11 new homes settled last month; 12 zoning complaints were investigated; there were no fire/safety inspections conducted.

##### Police Chief's Report

Corporal Kyle Sherman advised that 1,138 incidents were handled last month, including 4 arrests; 2 training classes were hosted: "She's an Asset" and "Cultural Diversity Training"; the safety tip for this month is to protect your deliveries and be mindful of how you dispose of the boxes – cut up the boxes so passersby can't see what you have. That's a good safety tip all year long.

##### Public Works Department Report

Tony Scheivert reported that 131 work orders were received and completed; the crew worked with the Sunoco Mariner 2 Contractor as they paved Lakeview Road, Highview Road and Greenridge Road; Kyle Ripka is attending Pennsylvania Recreation and Parks Society (PRPS) Leadership Academy courses.

##### Land Development

Preserve at Marsh Creek Phase 2 Sanitary Sewer Escrow Release #1. Dave Leh summarized ARRO's recommendation to release \$319,440.57 as requested by The McKee Group for public sanitary sewer improvements for Phase 2 of the Preserve at Marsh Creek construction. Mrs. Baxter moved, seconded by Mr. Durkin, to approve the release of \$319,440.57 for sanitary sewer improvements at Preserve at Marsh Creek Phase 2. The motion carried unanimously.

#### ADMINISTRATION

YSM Professional Services Agreement Addendum. Tony Scheivert presented a \$34,014.00 addendum to the YSM's Professional Services Agreement for improvements at Hickory Park. The addendum is for additional services related to landscaping architecture and electrical engineering, for surveying wetland delineation, pavilion replacement, meeting ADA requirements for accessible connections to ballfields and other features, upgrading PECO service, expanded lighting, etc. Mrs. Baxter moved, seconded by Mr. Durkin, to approve and execute the \$34,014 Addendum. The motion carried unanimously.

Solid Waste and Recycling Contracts ~ Exercise 1-Year Extensions. Tony Scheivert advised that the 2019-2022 Contracts for solid waste and recycling collection, as bid in early 2019, included (2) 1-year extensions. The Board had exercised the first 1-year extension for the

period August 1, 2022 – July 31, 2023. It is recommended that the Board exercise the second 1-year extension for the period of August 1, 2023 – July 31, 2024, rather than letting bids this Spring. The extension total for solid waste collection is \$450,288 and for recycling is \$191,607. Mrs. Baxter moved, seconded by Mr. Durkin, to approve and exercise the second 1-year extension. The motion carried unanimously.

Resolution Adoptions.

2023 Budget and Tax Millage Rate. Jill Bukata noted the 2023 Budget process began in October and all Departments contributed. The 2023 Budget includes: General Fund \$7,458,408; Capital Reserve Fund \$1,314,483; Solid Waste Fund \$1,161,004; Water Resource Protection Program \$298,632; Liquid Fuels Fund \$689,333; Act 209 Traffic Impact Fund \$0.0; Sewer Fund \$318,938; 2023 Budget Totals \$11,240,788. There is no increase for the 2023 tax millage rate, which remains at 1.034 mills -- .784 for general purposes and .25 for emergency services. The hydrant tax of .087 mils is applicable to properties within 780 feet of a fire hydrant. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #12-19-22-09** establishing the 2023 Budget at \$11,240,788 and establishing the 2023 Millage Rate at 1.034 mils for general purposes and emergency services and the 2023 Hydrant Tax at 0.087 mils. The motion carried unanimously.

2023 Pension Plan Contribution Rate – Uniformed Employees. The 2023 pension plan contribution rate for the uniformed employees is 5% of salary as defined in the Plan as “Earnings including base pay, longevity pay, night differential pay (if any), overtime pay and pick-up contributions (i.e. W-2 wages). Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #12-19-22-10**, establishing the 2023 Pension Plan Contribution Rate for Uniformed Employees at 5% of salary. The motion carried unanimously.

2023 Pension Plan Contribution Rate - Non-Uniformed Employees. The 2023 pension plan contribution rate for non-uniformed employees is 5% of salary as defined in the Plan as “base pay, longevity pay, overtime pay, pick-up contributions (i.e. W-2 wages). Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #12-19-22-11**, establishing the 2023 Pension Plan Contribution Rate for Non-Uniformed Employees at 5% of salary. The motion carried unanimously.

2023 Fee Schedule. Gwen Jonik noted several revisions to the previous year’s fee schedule, which outlines the various fees for building permits, professional services, subdivision/land development and zoning hearing applications, etc. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #12-19-22-12**, establishing the 2023 Fee Schedule. The motion carried unanimously.

2023 Emergency Services Providers. The agencies who will provide emergency services in Upper Uwchlan Township in 2023 are: Lionville Fire Department, Ludwig’s Corner Fire Department, East Brandywine Fire Department, Glen Moore Fire Department, Uwchlan Ambulance Corps, Minquas Ambulance, the Township Police Department. Byron Nickerson is the designated Emergency Management Coordinator for the Township. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #12-19-22-13** which designates those agencies as emergency service providers for 2023. The Motion carried unanimously.

Act 167 Stormwater Ordinance Amendment. Kristin Camp, Esq., advised that Chester County adopted a revised stormwater management ordinance in August and each municipality in the County is required to do likewise. The most notable revision is the frequency of inspections following construction -- 1x/year for the first 5 years and after a 25-year storm. Upper Uwchlan’s Ordinance models what the County adopted, with minimal options, which were kept as in the Stormwater Ordinance adopted in 2013. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt

**Ordinance #2022-08**, which repeals and replaces Township Ordinance 2013-05. The motion carried unanimously.

Open Session

Tony Scheivert commented that Toll Brothers has not submitted a Zoning Hearing Application regarding their 100 Greenridge Road project.

Gerry Stein, Greenridge Road resident, questioned how or who determines if a storm is a 25-year storm? Dave Leh noted the County Water Resource Authority does that from information from the National Oceanic and Atmospheric Administration (NOAA). There's a specific measurement, the amount of rain over a certain period of time (intensity). Gilmore also tracks the rainfall and if determined to be a 25-year storm, Gilmore will notify the Township that inspections need to be done.

Gerry Stein made comment that a tree service has been marking trees on the 100 Greenridge Road property. Tony Scheivert surmised it may be marking dead ash trees but will find out tomorrow and advise.

Richard Ruth wished everyone a nice holiday.

Gerry Stein advised that the Historical Commission is going to walk 161 E. Township Line with the property owner regarding graphite mine ruins. Tony Scheivert may accompany them.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the Meeting at 7:40 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary