



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS MEETING  
March 20, 2023  
**6:00 p.m.**  
**Approved**

Attending:

Board of Supervisors

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

Kristin Camp, Esq., Township Solicitor

Township Administration

Tony Scheivert, Township Manager  
Lindsay Yeager, Assistant to the Township Manager  
Gwen Jonik, Township Secretary  
Jill Bukata, Township Treasurer  
Rhys Lloyd, Director of Code Enforcement  
Anthony Campbell, Zoning Officer  
Steve Poley, Public Works Foreman  
Tom Jones, Police Chief  
Dave Leh, P.E., Township Engineer

LOCATION: Barn at Upland Farm, 301 Pottstown Pike, Chester Springs PA 19425

Mrs. D'Amico called the evening to order at 6:00 p.m., led the Pledge of Allegiance and offered a moment of silence. No one planned to record the meeting. There were 6 citizens in attendance.

Approval of Minutes

Mrs. Baxter moved, seconded by Mr. Durkin, to approve as presented the minutes of the February 14, 2023 Board of Supervisors Workshop and the February 21, 2023 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 March 16, 2023. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported a strong balance sheet; year-to-date revenues are 16% of the budget; year-to-date expenses are 15.9% of budget.

Supervisor's Report

Mrs. D'Amico read the published calendar: April 1, 2023 11:00 a.m. 5<sup>th</sup> Annual Easter Egg Hunt at Hickory Park; April 7, 2023 Office Closed ~ Good Friday; April 11, 2023 4:00 p.m. Joint Boards & Commissions Workshop; April 12, 2023 7:00 p.m. Zoning Hearing re:100 Greenridge Road at Pickering Valley Elementary School; April 17, 2023 7:00 p.m. Board of Supervisors Meeting; yard waste collection dates: March 29, April 5, 12, 19, 26.

Administration Reports

Township Engineer's Report

Dave Leh reported that revised plans were received for 301 Park Road, which the consultants are reviewing; Hankin submitted a preliminary land development plan for Eagleview Lot 1A, a 60,600 SF flexible use building - the Planning Commission has recommended granting the requested waivers; they are working with the contractor on the Hickory Park improvement to get the wetlands and bog turtle habitat delineated.

### Building and Codes Department Report

Rhys Lloyd reported that 58 building permits were issued last month, totaling \$115,689 in permit fees; the department conducted 190 scheduled inspections there were 7 resales and 6 new homes settled; 15 zoning complaints resolved; no fire inspections conducted this month; Kathi McGrath and Lisa Desai are organizing the commercial permit file plans in compliance with record retention requirements.

### Police Chief's Report

Chief Jones reported there were 967 incidents logged, including 25 reportable crimes and 10 arrests; progress is being made restructuring the offices to more efficiently use the space, with Public Works doing the work; led CPR and AED certification class for Township staff; Brian Gathercole graduated from Leadership Class graduation; 3 Officers will be promoted tonight; 2 new Officers will be sworn in tonight; and the monthly safety tip is to be aware for driveway-sealing scams.

### Public Works Department Report

Steve Poley reported that along with routine maintenance items, the Department completed 92 workorders, worked on the renovations in the Police Department, replaced 2 wastewater treatment facility roofs, repaired a water issue at the Upland Farm, installed fence rails, and replaced some road signs.

### Land Development

Neal Fisher, Hankin Group, provided a brief overview of the Eagleview Corporate Center Lot1A preliminary plan, proposing a 60,000+ SF flex building (research & development, or biotech) which will be access from Arrowhead Drive cul-de-sac. Loading areas will be in the back, there are wetlands on the property. They are seeking approval of several waivers before making revisions to the Plan as they will affect the design: preliminary/final plan approval at the same time, allow topsoil to be disposed of off-site, reduced woodland replacement, reduced number of plantings, and allow encroachment into the wetlands buffer.

Due to site constraints, they would have to remove topsoil from the site during construction. Regarding the woodland protection /disturbance/replacement, they can't replace all of the trees required so they propose maximizing the landscaping and installing as many trees as possible but with larger calipers and taller trees, in the same manner they have previously when developing wooded lots; and the new stormwater management ordinance increased the wetlands buffer from 25' to 75' and their proposed stormwater infiltration area encroaches into the 75' buffer. It was designed using the 25' buffer, with a headwall. They'll redesign it to disburse the water via a level spreader, which will slow the flow, but will still encroach the 75' buffer. The Township Planning Commission recommended approval of the waivers at their March 9, 2023 meeting.

Following discussion of each request, Mrs. Baxter moved, seconded by Mr. Durkin, to grant the waivers requested, as detailed in Gwen Jonik's March 10, 2023 email to the Board of Supervisors, as follows:

1. Grant waiver from Sections 162-7.B.(2), 162-8.B and 162-8.C(1) to allow for preliminary and final land development plan approval to occur concurrently.
2. Grant waiver from Section 162-52 to allow for topsoil to be disposed of off-site.
3. Grant waiver from Section 162-55.B.(3)(a) to allow for reduced woodland replacement.
4. Grant waiver from Sections 162-55.B(6) through (9) to allow reduced number of plantings and instead use taller and larger caliper planting.
5. Grant waiver from Section 152-301.T to allow a stormwater management facility to encroach into the 75' wetlands buffer.

The motion carried unanimously.

## ADMINISTRATION

Mrs. Baxter moved, seconded by Mr. Durkin, to amend the Agenda to include consideration of a Resolution regarding a DCNR Grant. The motion carried unanimously.

Ordinance amendment. Kristin Camp introduced an ordinance amending Chapter 71 of the Township Code – Uniform Construction Code, to add a section regarding violations and penalties. The proposed section is based on what is in the 2<sup>nd</sup> Class Township Code. Mrs. Baxter moved, seconded by Mr. Durkin to adopt Ordinance # 2023-01 which adds a Violations and Penalties Section to Chapter 71 of the Township Code. The motion carried unanimously.

Authorization to Advertise Ordinance. Tony Scheivert noted that Cohen Law Group completed review and negotiation of the Comcast Cable Franchise Agreement. Kristin Camp noted the key negotiating points are that Comcast will pay the Township a franchise fee equal to 5% of their gross revenues. This isn't as beneficial as it used to be because subscriptions are decreasing with the availability of alternate streaming services. Mrs. Baxter moved, seconded by Mr. Durkin, to authorize advertising the Ordinance for consideration at the April Supervisors meeting. The motion carried unanimously.

Marsh Creek Watershed Protection Program ~ Update. Mr. Scheivert commented that this was the third time bids were requested to renovate 2 storm water basins in the Heather Hill development. Only 1 bid was received. The total was higher than desired, and the bid is being thoroughly reviewed.

Disposition of Township Property ~ Public Works equipment. Gwen Jonik explained that the Public Works Department had 5 pieces of equipment that had met their useful life, were replaced, and were offered for sale via Municibid, an electronic auction. She advised the high bids on each item and asked the Board to approve the sales to the high bidders. Mrs. Baxter moved, seconded by Mr. Durkin, to approve the sales to the high bidders as follows:

1. Pro-Tech Turf 8' Snow Pusher \$526.00
2. 2008 Toro Zero-Turn 3-Wheel Mower \$8,900.00
3. 2019 Sure-Trac Universal Trailer (VIN# 5JW1U2021K1264440) \$4,204.00
4. 2015 Scag Cheetah 61" Mower \$2,150.00
5. 2015 Scag Cheetah 72" Mower \$2,601.00

The motion carried unanimously.

Resolution – DCNR Grant. Tony Scheivert introduced a Resolution authorizing the Township Manager to execute documents related to applying for a Department of Conservation and Natural Resources (DCNR) Grant for rehabilitation and improvements at Hickory Park. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt Resolution #03-20-23-04, authorizing the Township Manager to sign DCNR Grant-related documents. The motion carried unanimously.

## Open Session

Gerry Stein, Greenridge Road resident, commented that the Historical Commission was given the original DiLibero Farm sign and that it will be displayed once the Township "museum" is open.

Mrs. D'Amico announced a recess until 7:00 p.m. when the Police Department will hold a promotion and swearing-in ceremony.

The evening reconvened at 7:00 p.m. There were approximately 70 citizens in attendance.

Police Department Promotions, Swearing-In Ceremony. Chief Jones thanked the Board and Mr. Scheivert for their support in promoting 2 Officers and hiring an Officer.

New Officer Cara Cortese. District Judge Paige Simmons administered Officer Cortese's Oath of Office.

Chief Jones announced the promotion of Officer Rob Paradise to Corporal. Judge Simmons administered his Oath of Office.

Chief Jones announced the promotion of Officer Paul Kemme to Corporal. Judge Simmons administered his Oath of Office.

Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary