



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS MEETING  
October 16, 2023  
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  
Lindsay Yeager, Assistant to the Township Manager  
Gwen Jonik, Township Secretary  
Rhys Lloyd, Director of Code Enforcement  
Anthony Campbell, Zoning Officer  
Mike Esterlis, Director of Public Works  
Tom Jones, Police Chief  
Dave Leh, P.E., Township Engineer

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

Mrs. D'Amico called the evening to order at 7:00 p.m., led the Pledge of Allegiance and offered a moment of silence, asking for reflection of the innocent lives lost and impacted around the world, especially in Israel, Gaza, Ukraine, Russia. No one planned to record the meeting. There were 5 citizens in attendance, as well as Lieutenant Joe Carr, Detective-Corporal Brian Gathercole, Detective Dave Stiteler, Corporal Paul Kemme, Corporal Adam Pozza, Administrative Assistant Jami Martin, Officers Bob Davis, Greg Hines, Alec Fleming, Jasmine Hess, Dan Zmuida and Zach Raymond.

Mrs. D'Amico announced an Executive Session was held October 10, 2023 regarding real estate and personnel matters.

Recognition of Police and Emergency Service Responders

Mrs. Baxter read a prepared **Resolution, #10-16-23-08**, recognizing and thanking the Police Department for their tireless efforts during the search in September for escaped convict Danelo Cavalcante. Mrs. D'Amico spoke of her pride in the Department as they assisted with the search efforts in the Longwood Gardens area, when the search moved to our area and to the north, of Paul Kemme's participation with SWAT and for the brief period Chief Jones was in charge during a shift change.

Chief Jones thanked all the Officers, Jami, Tony, Sandy, the Board, and Public Works, who stepped in to cover the office and the schools in the township; Mr. Durkin commented he gained an education for what the Police do in all kinds of conditions; Mrs. Baxter was in awe of their unwavering dedication to service to the community – they are special people and she's grateful; Mr. Scheivert commented we have an impressive department who rose to the occasion and just kept going and thanked Jami for her support; Sandy complimented the Public Works team – everyone pitched in and got the various jobs done. Resident Irina Colligon complimented the Department.

Approval of Minutes

Mrs. Baxter moved, seconded by Mr. Durkin, to approve as presented the minutes of the September 18, 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 listed October 12, 2023. The motion carried unanimously.

### Treasurer's Report

Tony Scheivert reported on Jill Bukata's behalf that we are 75% through the year, year-to-date revenues are at 89.7% of the budget, year-to-date expenses are at 75.8% of the budget, and earned income tax revenue is \$11,000 higher than at this time last year.

### Supervisor's Report

Mrs. D'Amico read the published calendar: October 28, 2023 3:00-5:00 p.m. Trunk or Treat at Hickory Park; November 14, 2023 4:00 p.m. Board of Supervisors and Draft 2024 Budget Workshop; November 20, 2023 7:00 p.m. Board of Supervisors Meeting; November 23-24, 2023 Office Closed ~ Thanksgiving Holiday; November 25, 2023 4:00-7:00 p.m. 7<sup>th</sup> Annual Tree Lighting and Fireworks; yard waste collection dates: October 18, 25, November 1, 8, 15, 29. There are @ 25 trunks and several businesses signed up for Trunk or Treat.

### Administration Reports

#### Township Engineer's Report

Dave Leh reported the Planning Commission has reviewed QBD's land development plan and has recommended Final Approval; an escrow release for the Enclave at Chester Springs will be considered later in the meeting.

#### Building and Codes Department Report

Rhys Lloyd reported that 52 building permits were issued last month, totaling \$20,696 in permit fees; the Department conducted 125 scheduled inspections; 6 new homes settled; and 20 zoning complaints were handled.

#### Police Chief's Report

Chief Jones reported there were 1,131 calls for service last month, 4 adult arrests, 1 juvenile arrest; CIT training completed by 3 of the newer Officers - only 1 Officer to go; safety tip of the month: with daylight savings time ending November 5, please watch out for children, especially @ Halloween.

#### Public Works Department Report

Mike Esterlis reported the Department received and completed 163 work orders; assisted with the e-waste and shred event at their facility; road paving is complete; all line striping is done; a full upfit for the police trailer is complete; 2 snowplow bid requests were publicized – no bidders for either -- supplemental personnel will assist our Staff.

#### Land Development

Enclave at Chester Springs Site Improvements Performance Bond / Financial Security. Dave Leh advised the request for bond reduction #5 / Final release was reviewed and all site improvements have been completed except for the Station Boulevard pedestrian crossing and streetlight installation. Toll can't complete that at this time due to the lead time on the materials. Toll has provided a cash escrow (\$157,473.15) to cover those improvements and requests release of the original site improvements performance bond. Gilmore & Associates recommends release of the performance bond. Kristin Camp, Esq., advised the terms of the Land Development Agreement apply, they are just replacing the financial security bond with the cash escrow. Once the pedestrian crossing and streetlight are complete, an 18-month maintenance bond will be provided.

Mrs. Baxter moved, seconded by Mr. Durkin, to release the Site Improvements Performance Bond upon confirmation of receipt of the \$157,473.15 cash escrow. The motion carried unanimously.

## ADMINISTRATION

Alternative Energy System Ordinance amendment. Kristin Camp, Esq., advised the amendment includes minor edits by the Planning Commission, to modernize the regulations. The Environmental Advisory Council also reviewed the amendments and recommends adoption.

Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Ordinance #2023-04**, amending the Alternative Energy System Ordinance sections "Permitted and Prohibited District Uses" and "General Provisions". Resident Irina Colligon asked that the adopted Ordinance be posted on the website. The motion carried unanimously.

Resolution - Real Estate Tax Collection 2024. Discussion of this Resolution is tabled to the November Supervisors meeting as the County Treasurer's collection contract hasn't been fully vetted.

Resolution - PECO Green Region Grant Application. Tony Scheivert advised this Resolution is to apply for PECO's Green Region Grant for a tree planting initiative, to plant shade trees at Township Parks. This is a matching-funds grant. We will request \$6,000. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #10-16-23-09** authorizing submission of an application for the PECO Green Region Grant. The motion carried unanimously.

Resolution - Component 3M Planning Module Submission to PaDEP. Gwen Jonik explained that Uwchlan Township Municipal Authority proposes decommissioning their Overlook Pump Station. Upper Uwchlan is involved in the process due to wastewater from Eagleview Corporate Center parcels in Upper Uwchlan flowing to that system. Upper Uwchlan has completed the appropriate portions of the Planning Module and Uwchlan Township is responsible for submitting it to PaDEP. Mrs. Baxter moved, seconded by Mr. Durkin, to adopt **Resolution #10-16-23-10** authorizing the submission to PaDEP of Uwchlan Township's Component 3 Planning Module to decommission the Overlook Pump Station. The motion carried unanimously.

## Open Session

Gerry Stein asked of the statute of limitations for subdivision/land development plan approvals. Kristin Camp, Esq., advised there's not a statute of limitations; however, if the developer has completed substantial improvements according to the Plan within 5 years from the approval of the Preliminary Plan, there's no expiration. If the developer has not completed substantial improvements according to the Plan within 5 years from the approval of the Preliminary Plan, the developer will need to address any regulations / Ordinances that were adopted since the Plan was approved.

Gerry Stein questioned why a historic impact statement for 164 Byers Road wasn't required, since the approval expired. Ms. Camp advised that requirements of Township Code Zoning Section 200-36B for new structures will need to be met – the design standards at the time of building permit application. Section 200-36B will guide the architecture and compatibility with neighboring historic resources.

## Adjournment

There being no further business to be brought before the Board, Mrs. D'Amico adjourned the Meeting at 7:46 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary