



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS MEETING

November 18, 2024

7:00 p.m.

Approved

Attending:

Board of Supervisors

Jennifer F. Baxter, Chair

Andrew P. Durkin, Vice-Chair

Sandra M. D'Amico, Member

Township Administration

Tony Scheivert, Township Manager

Lindsay Yeager, Assistant Township Manager

Gwen Jonik, Township Secretary

Jill Bukata, Township Treasurer

Rhys Lloyd, Director of Code Enforcement

Anthony Campbell, Zoning Officer

Mike Esterlis, Director of Public Works

Kristin Camp, Esq., Township Solicitor

Joe Carr, Police Lieutenant

Dave Leh, Township Engineer

LOCATION: Township Building, 140 Pottstown Pike, Chester Springs PA 19425

Mrs. Baxter called the evening to order at 7:01 p.m., led the Pledge of Allegiance, and offered a moment of silence. No one planned to record the meeting. There were 16 citizens in attendance.

Approval of Minutes

Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the minutes as presented of the October 8, 2024 Board of Supervisors and Draft 2025 Budget Workshop and the October 21, 2024 Board of Supervisors Meeting. The motion carried unanimously.

Approval of Payments

Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the payments to all vendors listed November 15, 2024. The motion carried unanimously.

Treasurer's Report

Jill Bukata reported a strong balance sheet; year-to-date revenues are at 93.0% of budget; year-to-date expenses are at 81.2%; earned income tax revenue is slightly lower than budget.

Transfers to Capital Fund

Jill Bukata introduced a \$50,000 transfer from the Solid Waste Fund to the Capital Fund for planned expenditures over the next few months. Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the \$50,000 transfer from the Solid Waste Fund to the Capital Fund. The motion carried unanimously.

Mrs. Bukata also requested approval of a \$425,000 transfer from the General Fund to the Capital Fund to meet the principal and interest payment on the 2019 Bond. Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the \$425,000 transfer from the General Fund to the Capital Fund. The motion carried unanimously.

Supervisor's Report

Pam Shauger of the Chester County Library and Henrietta Hankin Branch highlighted their "Read Across ChesCo" program running right now. It's a passport book tracking the 18 libraries across the County and as you visit each library and answer a corresponding question in your passport, a critter sticker is given to put in your passport book.

There is no police liaison report.

Mrs. Baxter read the published calendar and yard waste dates: November 24, 2024 1:00-4:00 p.m. Farmhouse Museum open at Upland Farm Park hosted by the Historical Commission; November 28-29, 2024 Office Closed for the Thanksgiving Holiday; November 30, 2024 4:00 p.m. Annual Tree Lighting at Upland Farm Park hosted by the Park and Recreation Board (the fireworks are cancelled due to the dry conditions); December 10, 2024 4:00 p.m. Board of Supervisors Workshop; December 11, 2024 6:30-8:00 p.m. "The Voices of the Past: Exploring the people, places, and historic events in the Villages of Eagle, Byers, and Milford Mills" at Upland Farm hosted by the Historical Commission; December 16, 2024 7:00 p.m. Board of Supervisors Meeting and yard waste collection dates are November 20, December 4 and 18.

#### Administration Reports

##### Township Engineer's Report

Dave Leh reported that 500 Pottstown Pike is revising their land development plan; clearing and construction has started at Eagleview Lot 1A; Celebree School expects to start land preparation activity next week.

##### Building and Codes Department Report

Rhys Lloyd reported 96 building permits were issued last month, totaling \$17,314 in permit fees; the department carried out 182 scheduled inspections; 12 properties changed hands; 10 new homes settled; 18 zoning complaints handled; and an Eagle Scout project was completed – 18 serviceberry trees planted at Larkins Bridge.

##### Police Chief's Report

Lieutenant Carr reported the department received 1,081 calls for service; the hiring process continues; the safety tip of the month is that the burn ban is still in effect countywide and to use caution with grills and firepits! A K-9 Unit has been offered to the department, via a Grant. The details are being investigated and if we move forward, training the handler would occur at the end of January.

A citizen asked if citizens may have fireworks. Lt. Carr advised with an abundance of caution to not do so. The citizen also asked about seeing folks with backpacks seemingly wandering around and what to do about that. Lt. Carr advised they'd have to be committing a crime for the police department to get involved.

##### Public Works Department Report

Mike Esterlis reported the department received and completed 146 workorders, completed inlet repairs, assisted with installation of 50+ trees at parks and facilities, poured concrete bleacher pads at Hickory Park, repaired road edges on East Township Line Road, and participated in Trunk or Treat.

##### Land Development

Enclave at Chester Springs Escrow Release. Dave Leh explained that the Enclave's Performance Bond was released in exchange for a cash escrow to complete the Station Boulevard pedestrian crossing. Toll Brothers has completed the pedestrian crossing and is requesting a cash release of \$136,457.68. Gilmore & Associates, Bowman, and PennDOT have reviewed the pedestrian crossing and signal and find the improvements have been satisfactorily completed. Gilmore & Associates recommends the release. The remaining \$21,015.47 will be held for 18 months as the maintenance security.

Mr. Durkin moved, seconded by Mrs. D'Amico, to release the requested \$136,457.68 and retain the \$21,015.47 for 18 months as the maintenance security. The motion carried unanimously.

Natural Lands Update of the Struble Trail Extension and Water Tower Demolition. Jack Stefferud of Natural Lands noted that by mid-December they should have County approval and funding to take down the water tower at the Struble Trail extension at Dorlan Mill Road. They'll then transfer the property to the State sometime before year end, bid for construction of the trail and hope the trail can be completed by early summer. Mr. Stefferud advised that the legal fees associated with the conditional use and subdivision of the property were more than anticipated and asked if the Township would waive some or all of the fees. Mr. Scheivert advised the Board would discuss it.

## ADMINISTRATION

Traffic Signal Control Technical Specifications. Tony Scheivert explained that the need to update our specifications was precipitated by 2 signal boxes being damaged by vehicular accidents and when we went to repair them, our equipment was outdated. Bowman updated our specifications for existing and future signals – proposed signal at Little Conestoga Road and Milford Road, and potentially at Route 100 and Font Road.

A citizen asked about the traffic lights changing too fast for the side traffic. Mr. Scheivert asked him to send an email as to locations and time of day and we'll check that the light is operating correctly.

Ms. Camp asked if these updated specifications will go into the Ordinances; Mr. Scheivert replied they would. Mr. Durkin moved, seconded by Mrs. D'Amico, to approve the updated Traffic Signal Control Technical Specifications prepared by Bowman. The motion carried unanimously.

Traffic Signal Application Submission Resolution. Mr. Scheivert advised that the Township plans to submit an application to PennDOT for a flashing warning signal for the Struble Trail crossing of Dorlan Mill Road. We are the initial Applicant and then a subsequent Agreement with the County will define the County as the responsible party for repair and maintenance of the signal. Mrs. Baxter asked if traffic would back up onto the bridge. The location of the flashing signal has been engineered and would be a County, PennDOT and/or Township issue to resolve. She also asked if a warning signal was necessary up the hill from the crossing. Dave Leh noted a sign might be appropriate but not a flashing sign.

Mr. Durkin moved, seconded by Mrs. D'Amico, to authorize the Township Manager to submit the Traffic Signal Application to PennDOT. The motion carried unanimously.

Agreement of Sale ~ 511 Byers Road. Mr. Scheivert presented an Agreement of Sale for the Township to purchase 2 vacant parcels at 511 Byers Road, currently owned by Sam Acker (parcel # 32-4-35 and 32-4-36). The property will be used for natural open space, trails, and possibly a future park. The Township will use ARPA funds for the purchase. An appraisal valued the property at \$380,000. M.s. Camp's office prepared the Agreement of Sale. Mrs. Baxter or Mr. Scheivert can sign the Agreement.

Andy Durkin moved, seconded by Mrs. D'Amico, to execute the Agreement of Sale for parcels 32-4-35 and 32-4-36 for \$380,000.00. The motion carried unanimously.

Draft 2025 Budget Advertisement Authorization. Mr. Durkin moved, seconded by Mrs. D'Amico, to authorize advertisement of the draft 2025 Budget. The motion carried unanimously.

Recreational Vehicle Ordinance Advertisement. Ms. Camp worked with Mr. Scheivert and Chief Jones on an ordinance to designate certain Township roads for use by motor vehicles and ATVs. The Township would like to allow for joint use of vehicles and ATVs on Oscar Way and Senn Drive, for some of the businesses to use off-road type equipment between their buildings. Businesses on Oscar Way and Senn Drive have outfitted their ATVs and such to be road legal. Steve Egnaczyk asked if ATVs are permitted on neighborhood roads. They are not permitted.

Mr. Durkin moved, seconded by Mrs. D'Amico, to authorize advertisement of the ATV Ordinance for potential adoption at the December 16 Supervisors meeting.

C1 and C3 Zoning District Zoning Ordinance Amendments. Ms. Camp explained that these ordinances have language allowing the Board of Supervisors to modify certain requirements in the Code, and some of those requirements shouldn't be under the Board of Supervisors' purview. They should be with the Zoning Hearing Board. Some of them are vague and should have standards for the Supervisors to consider. For example, 200-34 the Supervisors shouldn't be able to grant modifications; 200-33 doesn't have standards; 200-35 is wastewater related and should be consistent with County Health Department; 200-39B is discretionary, it has no standards for C3 to align with C1; 200-40 the Supervisors have no jurisdiction; 200-41 needs to be 1 acre not 10,000 SF. These amendments need to be reviewed by the Township and County Planning Commissions, then be advertised for January or February 2025 adoption.

#### Open Session

Mike Palumbo, Bob Holly, Bruce McFarland, Kevin and Beth Trainor, Hunters Ridge residents, made comment about the overwhelming deer population congregating in their yards. They wondered if the Township had any ways to decrease the population and offered several thoughts about organized hunts or hormones to sterilize. Mr. Scheivert noted the State Game Commission regulates the deer population. The Township can't do anything other than allow the Game Commission to hold a controlled hunt on Township property, not private property. There are 4-post feeders that treat the deer for ticks as they eat, but again it attracts deer to the yard.

There might be enough neighbors interested in allowing a controlled hunt on their properties. Anthony Campbell offered to talk with them.

Steve Egnaczyk thanked the Board for purchasing the open space. Perhaps the same could be done with the tree farm for sale on Route 100, bounded by Ticonderoga Boulevard. Mr. Scheivert noted that property is too expensive for the Township.

#### Adjournment

There being no further business to be brought before the Board, Mrs. Baxter adjourned the meeting at 8:01 p.m.

Respectfully submitted,

Gwen A. Jonik,  
Township Secretary