



TOWNSHIP OF UPPER UWCHLAN  
BOARD OF SUPERVISORS  
REGULAR MEETING  
October 19, 2009  
6:00 p.m.

Attending:

Board of Supervisors

Kevin C. Kerr, Chairperson  
Guy A. Donatelli, Vice-Chairperson  
Catherine A. Tomlinson, Member

Township Administration

Gwen A. Jonik, Township Secretary  
Al Gaspari, Codes Administrator  
Karen Wertz, Treasurer  
Cheryl Neri, Assistant Treasurer  
John DeMarco, Police Chief  
John E. Good, Esq. – Township Solicitor

Mr. Kerr called the meeting to order at 6:00 p.m., led the salute to the flag and offered a moment of silence.

Mr. Kerr requested that John Good, Township Solicitor, conduct the Conditional Use Hearing for Brandywine Springs Farm (a.k.a. the Shea Property). Court stenographer Mark Hagerty recorded the proceedings.

Matt Houtmann, P.E., of G. D. Houtmann and Donald Weiss, Esq. were in attendance representing Anne and Thomas Shea. The Brandywine Springs Farm project proposes an 8-Lot subdivision on the 56 acre Shea Property, the existing homestead on 16 acres and 7 new lots ranging in size from 2 – 10 acres. A new, private roadway will be built to serve the 7 new lots. A Conditional Use approval was necessary in order to construct buildings or roadways within steep slopes. Exhibits were presented, testimony was heard, the Hearing was closed and the Board of Supervisors has 45 days to announce their Decision.

Approval of Minutes

Mrs. Tomlinson moved, seconded by Mrs. Donatelli, to approve as presented the minutes of the October 5, 2009 Board of Supervisors meeting. The Motion carried unanimously.

Approval of Payments

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to approve the payments to all vendors as listed October 18-24, 2009, with Mr. Donatelli abstaining from Check #38773 as it is a client of his Firm. Mr. Donatelli requested the Township distribute future newsletters electronically rather than mailing. The Motion carried unanimously.

Treasurer's Report

Karen Wertz reported that at this time, the proposed 2010 budget reflects a \$372,000 deficit, but there are several more meetings in which to refine line items. Revenues for 2009 are lower than anticipated, and the timing of insurance payments has negatively impacted the budget. Projections indicate a potential \$200,000 shortfall for 2009.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to accept the Treasurer's Report. The Motion carried unanimously. Bonnie Cunningham requested a copy of the Report. Steve McNaughton asked how the shortfall may be recovered. Karen Wertz advised a number of options are being investigated.

Supervisors' Report

Mr. Kerr read the following Emergency Services Report for September: Ludwigs Corner Fire Co. – 6 fire calls; Lionville Fire Co. – 4 fire calls; East Brandywine Fire Co. – 0 fire calls, 1 EMS call; Glenmoore Fire Co. – 0 fire calls; and Uwchlan Ambulance Corps – 31 calls.

Mr. Kerr read the following calendar: October 27, 2009 4:00 p.m. Board of Supervisors' Workshop and 2010 Budget Meeting; November 2, 2009 7:00 p.m. Board of Supervisors' meeting; November 3, 2009 Election Day; November 10, 2009 4:00 p.m. Board of Supervisors' Workshop and 2010 Budget Meeting; November 16, 2009 7:00 p.m. Board of Supervisors' Meeting; and November 21, 2009 Leaf and Yard Waste Collection Day – must use biodegradable bags or open containers as this collection gets composted.

#### Township Engineer's Report

Dave Leh reported that the Byers Station and Windsor Ridge developers are completing tasks toward the dedication of roadways, and construction has begun on the traffic signal at Station Boulevard and Graphite Mine Road.

#### Building/Codes Department Report

Al Gaspari reported the Department issued 28 building permits in September, totaling \$5,561.00 in fees. As the developers accomplish roadway and development dedication activities, the Department experiences increased questions from residents. Mr. Gaspari is working on the 2010 Fee Schedule, which will include the addition of Alternative Energy Permits, coordinating Eagle Scout projects, such as the rain garden at Fellowship Fields and bike racks at trail destinations; and preparing for the Limerick Power Plant Emergency Training Drill - Mr. Gaspari attended radiological training.

#### Police Chief's Report

Chief DeMarco reported the Department handled 718 complaints during September and Detective Tom Jones recently earned National Certification as a Forensics Expert. Following one year of training, Detective Jones can testify as a Forensics Expert during Hearings.

#### Land Development

Dave Leh introduced an escrow release for Windsor Ridge (#3) in the amount of \$3,139,791.75 for paving, storm water management measures, erosion and sedimentation controls, and retaining wall construction.

Mrs. Tomlinson moved, seconded by Mr. Donatelli, to release \$3,139,791.75 to Pulte Homes. Bonnie Cunningham asked if Pulte's accounts with the Township were current. Mr. Donatelli believes outstanding invoices cannot impact the release of public improvement escrow funds, but the Township will keep in mind next time. The Motion carried unanimously.

#### Administration

Kevin Kerr introduced Cary Vargo, who has been selected for the Township Manager position. Mr. Vargo recently served as Thornbury Township's Manager and was previously a Corporal with the Coatesville Police Department. Mr. Vargo thanked the Search Committee for their work and expressed his enthusiasm for the position.

Mr. Donatelli moved to adopt Resolution #10-19-09-08 appointing Cary Vargo to the position of Township Manager, referencing Township Ordinance and the Second Class Township Code detailing the Township Manager position. The Motion also waives the residency requirement for Mr. Vargo. Mrs. Tomlinson seconded and the Motion carried unanimously.

Mr. Donatelli thanked those who served on the Search Committee: Doris Grassi, Steve McNaughton, Bob Schoenberger, Mike Reed, Jeff Lewis, Tom Baynard, and Bob Watts. The Search Committee members present commented that the Committee was a fair representation of

Township residents and the Committee had agreed Cary would serve the Township well. They also commented that the Recruitment Consultant did a great job.

Mr. Donatelli thanked Kevin Kerr for his service as Chief Administrator over the past seven months and credited him for all the good things accomplished in that timeframe. Mr. Donatelli moved, seconded by Mrs. Tomlinson, to relieve Mr. Kerr as Chief Administrator effective October 26, 2009. So moved.

Mr. Donatelli moved, seconded by Mrs. Tomlinson, to adopt Resolution #10-19-09-09, approving the Open Space, Recreation and Environmental Resource Plan as revised and dated September 23, 2009. Mr. Donatelli commented that this Plan truly reflects the ideas offered by many residents and he thanked those who served on the Committee for their hard work and dedication to this project. The Motion carried unanimously.

#### Open Session

Judy Jones commented on the relationship between the Tax Collector and the Board of Supervisors.

Dan Jones commented on the campaign signs size regulations and street lights needing bulbs replaced. Mr. Donatelli advised that Al Gaspari can answer the questions regarding sign regulations and Mike Heckman can address the street lights. Steve McNaughton reported a sign outside the temporary sign parameters that should be brought into compliance.

A gentleman commented on the implementation of the Open Space Plan. Mr. Kerr advised it is a reference document that the Board will use to give direction to the Park & Rec Board or other Boards/Commissions and will be discussed at the next Joint Boards & Commissions workshop.

Todd Strauss commented on the rough paving on Moore Road. Mr. Kerr advised that is a specific microsurfacing material to provide better traction where the roadway had become "polished".

Steve McNaughton asked if alternative energy items will be addressed through ordinance or special zoning hearings. Mr. Donatelli advised an ordinance is being drafted which initially could require conditional use procedures.

Bonnie Cunningham commented on future development potential. Mr. Kerr replied there are approximately 1,000 privately owned acres that could be developed.

Bob Cunningham commented on an article regarding pension plan funding. Mr. Kerr replied the Township's pension plans are fully funded.

#### Adjournment

There being no further business to be brought before the Board, Mr. Kerr adjourned the meeting at 7:45 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary