

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
FEBRUARY 18, 2010

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, February 18, 2010, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:45 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett, and Edward McBride. Also present were: Ron Wagenmann, Township Manager; Carly Fenske, Esq., Township Solicitor, Rob Loeper, Township Planner, Russ Benner, Township Engineer, and Judith A. Vicchio, Assistant Township Manager. Supervisor Erika Spott was absent.

MEETING MINUTES:

It was moved by Mr. McBride, seconded by Mr. Jenaway, to approve the February 4, 2010 Business Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRMAN'S COMMENTS:

Chairman Bartlett commented on the recent snow storms and the impact that the clean-up from the storms will have on the 2010 budget. The Board of Supervisors is allowing a representative from the School Board to speak at tonight's Board meeting in an effort to facilitate better communication between the Township and the School District. Following Chairman Bartlett's remarks, Mr. Joseph A. McGill, President, Upper Merion Area School District Board of Directors, presented the first of the monthly updates on the initiatives and challenges of the School District.

NEW BUSINESS

RECOGNITION OF ACHIEVEMENT RE: JOHN GONOUE – "GOOD CITIZENSHIP AWARD"

Chairman Bartlett presented the "Good Citizenship Award" on behalf of Board of Supervisors and received from the Daughters of the American Revolution to John Gonoue for a recent essay he wrote.

RECOGNITION OF DEDICATED SERVICE TO BRODY BOVERO, ASSOCIATE PLANNER

Vice Chairman McBride presented Brody Bovero with an award for his faithful and dedicated service to the Township as he assumes the position of Township Manager, Thornbury Township, Chester County.

CONSENT AGENDA:

1. Resolution 2010-4 re: Police Officers Contribution to Pension funds
2. Resolution 2010-5 re: Disposition of Township Records
3. Bid Recommendations re: Consortium Fuel Contract(s)  
Mansfield Oil Company – Gasoline Contract  
Conectiv/dba Tetron Oil Company – Diesel Contract

Page 2 – 2/18/10

Board Action:

It was moved by Mr. McBride, seconded by Mr. Waks, all voting “Aye” to approve the Consent Agenda items as submitted. None opposed. Motion approved 4-0.

UPDATE – NORFOLK SOUTHERN RAILROAD

Mr. Dominic Yannuzzi, PE, an engineer from Alfred Benesch & Company, discussed plans for removal of coal culm which is deposited in the Norristown Basin (30 acres in size) between the Schuylkill River and the Norfolk Southern Railroad tracks. The plan, which is projected to last for six to eight years, calls for trucks to haul away culm on Saturdays or Sundays beginning at 8:00 a.m.

Mr. Yannuzzi stated that this project has been in the planning phase with the company of Stoudt’s Ferry Preparation CO, Inc. for over twelve years. The main concern was determining how to remove the material out of the basin because it is bound on one side by the Schuylkill River (northern side of the basin) and on the southern side by the Norfolk Southern Rail Yard. After many studies it was determined that the best way to extract the material would be to use the crossing near the Norfolk Southern Rail Yard. Mr. Yannuzzi explained that because of heavy traffic during the week the only way to remove the material would be on weekends on a Saturday and in the event of inclement weather consideration would be given to do the work on a Sunday. He noted that between eight to ten trucks would be utilizing that crossing on any given Saturday or Sunday and would make anywhere from eight to ten trips per day. Mr. Yannuzzi indicated that the route out of the basin across the railroad track would utilize North Henderson Road, Abrams Road going up to Beidler Road,

Valley Forge Road and Route 422. He pointed out that all state routes would be utilized from the basin to state route 422.

Mr. Yannuzzi stated that permits were obtained from the Department of Environmental Protection, the Montgomery County Conservation District and the project is ready to go with a possible start in mid-March. Mr. Yannuzzi anticipates a slow start At first and eventually have about eight to ten trucks a day with 80 trips on any given Saturday.

Mr. Bartlett asked about the size of the trucks involved in this project. Mr. Yannuzzi responded that a standard tri-axle truck would be utilized.

Taking into consideration the aforementioned 80 trips per day, Mr. Bartlett indicated that since the trucks have to come in and go out, there would roughly be 160 movements on the road. Mr. Yannuzzi responded in the affirmative.

Mr. Bartlett asked for clarification about the length of the anticipated work day with 80 truckloads. Mr. Yannuzzi responded that a round trip would be about one hour and there would be an eight-hour work day.

Mr. Bartlett expressed concern over the heavy truck traffic on a busy weekend. Mr. Yannuzzi commented that there would be about eight trucks per hour utilizing the road.

Mr. Bartlett asked how long it would take to complete this project. Mr. Yannuzzi responded that because it would involve only one day a week, it would take six to eight years to remove all the material out of the basin. He pointed out that other options were considered to get the material out, such as via rail and via a bridge over the railroad, but these were determined to be infeasible.

Mr. Bartlett expressed concern over 160 trips on a Saturday for eight years.

Page 3 – 2/18/10

Mr. McBride also expressed his unease over the scope and length of the project in terms of trips per day and years to complete. He believed that other options such as use of a barge or some sort of temporary structure over the river should be considered and asked that the applicant come back to the Board with a "Plan B."

Mr. Bartlett asked for clarification about the remaining hole once the coal culm is removed. Mr. Yannuzzi responded that the hole would be filled in with a back hoe with sand material.

Mr. Bartlett asked for the source of the sand. Mr. Yannuzzi responded that the sand would be coming from the Oaks basin which is clean sand and

clean fill after which the site would be seeded and restored back to a natural habitat.

Mr. Bartlett asked for clarification about the additional truck traffic involved in bringing in the sand. Mr. Yannuzzi responded that the sand would be coming back with the same trucks. He said the trucks would leave full and return full with material and that it would not involve extra trips.

Mr. Waks commented that in the past when trucks have gone down that same route previously described there have been complaints from residents about the mess that some of the trucks have made with the material in and out of that general area. Mr. Waks asked what can be done to assure residents that it is not going to happen. Mr. Yannuzzi responded that as part of the requirements all trucks have to be covered going in and out and also there are construction entrances where tires are cleaned and if any material is tracked onto the road, the road would have to be cleaned. He said that Stoudt's Ferry is committed to be able to do that.

Mr. Waks asked for the rationale in choosing to do this only one day a week as opposed to twice or three times a week. Mr. Yannuzzi responded that from Monday through Friday there is a significant amount of train traffic going along that rail yard and on Saturday and Sunday that same type of traffic does not occur.

Mr. Waks asked if there could be some type of railroad crossing sign or gates put in place that would allow trucks to go in and out when the trains were not an issue which would be most of the day. Mr. Yannuzzi responded that this was discussed with Norfolk Southern and Conrail and this option was dismissed.

Mr. Jenaway stated that Heuser Park, particularly on Saturdays, is a high density use area on a regular basis and he commented about the havoc that would be created in that location with 80 trucks.

Mr. Jenaway also expressed concern about the potential threat to public safety at the Henderson/Abrams Mill/West Beidler intersection which is an extremely challenging roadway where cars traveling at relatively high speeds would meet up with a truck in low gear. He pointed out that there should have been discussions about signage that would indicate to people that truck crossing activity would be occurring. He summarized the three public safety issues about signage, about the frequency of trips and concerns about the interfacing with the population at Heuser Park.

Mr. McBride asked what right the railroad has to dictate that this would be a Saturday project. Mr. Yannuzzi responded that he does not know all the exact details; however, the basin is owned by the railroad and they could do what they want with their property. Since it is not a public road it would be difficult to get a

ruling from the Pennsylvania Utility Commission for that crossing.

Page 4 – 2/18/10

Mr. McBride commented that the railroad does not have a right to prevent their crossing since it is their material and their basin. Mr. Yannuzzi responded that it is not a standard crossing or a permitted crossing and authorization has not been received by Norfolk Southern to utilize that crossing in that manner.

Since the plan calls for trucks to be loaded and loaded by 8 a.m., Mr. McBride asked if that meant that there would be front end loaders running at 7 a.m. Mr. Yannuzzi responded in the affirmative. He said that during the week there will be an operator inside the basin prepping for the weekend in order to have all the material loaded up and ready to go. Trucks would be loaded with the large excavator bucket to fill the truck in three scoops and there is also the option of a loader. Mr. Yannuzzi pointed out that it is a low area with a tree buffer.

Mr. Jenaway stated he would like to see an alternative plan of some type even if it means building a roadway someplace else. This would relieve a significant volume of traffic on that roadway and eliminate the public safety issues. Mr. Jenaway said if it could be worked out somehow to the lower end of Valley Forge Road, it would make it a whole lot simpler. Mr. Yannuzzi said he understands.

Mr. McBride followed up and said he would like to see what was dismissed as not doable along with supporting notes on the alternatives. Mr. Yannuzzi said there were several options discussed, including a new road that was proposed down in that area – the relocated Route 23. He said that the option was considered to try to partner with that project and possibly put a bridge over the top of the railroad.

Mr. McBride asked for clarification about signage, flashing lights, and other notification so that people are aware of the project. Mr. Yannuzzi responded that as part of the standard design there are truck crossing signs placed at all entrances.

Mr. Yannuzzi stated that railroad sidings were looked at and deemed infeasible because of the high speed train traffic along the northern most track.

Mr. McBride took issue with that comment and said he cannot believe that putting in another railroad siding on that partial site is not possible since it is the railroad's property and their material to begin with.

Mr. Jenaway said he would agree with Mr. McBride that at this point it had not been demonstrated that anything relates to a benefit to Upper Merion Township in this proposal other than a whole lot of truck traffic that we do not

need on that road.

Mr. Bartlett questioned why Norfolk Southern is bothering to remove the coal culm at all. Mr. Yannuzzi responded that DEP wants this to be done as part of all the different projects along the river.

Mr. Bartlett asked why DEP is getting involved. Mr. Yannuzzi stated any type of removal project like this is governed by DEP.

Mr. McBride asked for clarification about a railroad siding and utilizing boxcars or open trains to haul the material away. Mr. Yannuzzi responded that this was investigated and determined as not feasible.

Mr. McBride indicated that he has no comfort level with this proposal and reiterated that a "Plan B" is needed.

Page 5 – 2/18/10

Mr. Jenaway commented there is an abundance of land for a railroad siding there and for an above grade type of dump mechanism that could bring the dump trucks up there and tip them without ever going on a highway. He pointed out that he would be interested to see if it is determined to be cost prohibitive because it would save a lot of time, effort and labor. Mr. Jenaway also pointed out that commodity classification studies were done on that yard about five or six years ago where it was indicated the thousands of cars that sit in that railroad yard at any point in time. He said that another railroad siding would give them more capacity to store more cars after this project is over.

Mr. Waks asked for clarification if the coal that is being removed from the basin is being done on Norfolk Southern's own initiative or is the impetus coming from DEP. Mr. Yannuzzi responded that "it is a collaborative effort in a sense."

Mr. Waks followed up by saying if Norfolk Southern has this interest in removing the coal from the basin, why is it choosing a plan which is so obviously odious to the Township and the members of the Board of Supervisors so as to make it very difficult to want to remove the coal from the basin when there are clearly are other options. He also questioned why Norfolk Southern would want to remove it but say it can only be done on Saturdays and you have to start at 7 a.m. Mr. Waks stated that it does not seem like an intelligent way for a profitable company to decide to try to remove something when there are so many other choices.

Mr. McBride stated that he would ask that the Board take this up with counsel and see what our options are and he requested that Mr. Yannuzzi return

with another plan or additional information that would raise the comfort level now lacking regarding this proposal.

OFFER OF DEDICATION RE: DESANTIS DEVELOPMENT. 560 "B" STREET.  
DEDICATION OF WIDENING OF "B" STREET ± 763 SQ. FT.

Mr. Rob Loeper, Township Planner, stated that this is an offer of dedication for a small right-of-way area along B Street. On August 9, 2007 the Board of Supervisors approved a 16-unit development at the site of the former Swedeland Elementary School site. Utilizing the aerial, Mr. Loeper pointed out two of the three buildings completed and some of the improvements along B Street including curbing and a slight amount of widening. He noted that in the prior condition there was a continuous curb cut across the whole front of the property. As part of the completion of that development, the property owner is dedicating a very small area approximately 763 square feet of frontage along B Street. As part of this process the site was reviewed and inspected by Mr. William C. Daywalt, Jr., Engineering Coordinator, to determine that construction was in accordance with township standards. He also reviewed the dedication documents and issued a memo stating that the documents are all acceptable. These documents include a maintenance bond in the amount of \$11,182.50 to be held by the Township for 18 months.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Waks, all voting "Aye" to approve the Offer of Dedication as submitted. None opposed. Motion passed 4-0.

Page 6 – 2/18/10

PHASE III DEVELOPMENT/SUBDIVISION PLAN RE: RWK ENTERPRISES,  
INC. DEVELOPMENT PLAN. 795 W. DEKALB PIKE. REDEVELOP SITE BY  
DEMOLISHING EXISTING STRUCTURE AND CONSTRUCT A TWO-STORY  
RESTAURANT (6,000 SF). C-1 COMMERCIAL, 0.459 ACRES. *Plan Expiration:  
February 22, 2010*

Mr. Loeper stated that RWK Enterprises, Inc. has submitted a land development application to redevelop the property located at 795 West DeKalb Pike. The property is approximately one-half acre site and is located in the C-1 Commercial District and occupied by a 6,800 square foot one-half story frame

building. The site has been historically occupied by a restaurant and other commercial retail uses. It is located on Route 202 at King of Prussia Road and is adjacent to the Best Western Hotel which is also undergoing a major renovation and rebuilding at this time. Mr. Loeper pointed out that the ownership of the hotel and the subject site are the same whereas in the past there were two different owners.

The applicant proposes to demolish the existing structure and build a 6,800 square foot restaurant on approximately the same location of the existing building. Site improvements include 34 parking spaces and a culvert over Abrams Run, providing vehicular and pedestrian access between the restaurant and the hotel site. Mr. Loeper noted that this is a very constrained site for a variety of reasons. He explained that over the years, there have been various takings on the part of PennDOT for improvements to Route 202. In addition, Abrams Run runs through the site and a portion of the site is within the 100-year flood plain.

The application for land development was submitted to the Township in July 2009, but prior to that the applicant sought relief from the Zoning Hearing Board for a variety of relief. They included a variety of items such as:

- to permit outdoor dining
- to allow a reduction in the number of parking spaces
- to permit shared parking with the adjacent restaurant
- to permit construction of the bridge and culvert within the flood plain
- to permit the construction of the driveway on the bridge and culvert
- to permit grading within the flood plain
- to permit disturbance of steep slopes.

The Zoning Hearing Board granted the relief on April 15, 2009 and since then the applicant has been working with staff as well as the Township Engineer on the land development application.

Montgomery County Planning Commission issued a review letter in August 2009. The commission commented about such items as parking and circulation. Changes have been made to the plan including the reorientation of some of the parking to provide for safer and more efficient entry onto the site from King of Prussia Road.

The Upper Merion Planning Commission reviewed the plans last summer and in the fall and recommended approval of the plan.

CMX reviewed the plans for code compliance and engineering issues. Several reviews were completed for both the land development and flood plain study after numerous coordination between CMX and the applicant's engineer.



The most recent review was issued February 11, 2010 concerning the flood plain analysis which needs to be submitted.

Page 7 – 2/18/10

The Zoning Hearing Board in granting relief placed several conditions on this development:

- the applicant must satisfy everything outlined in the CMX letter introduced at the zoning hearing
- the applicant would have to file an easement agreement for the adjacent hotel parcel and if the easement agreement is ever changed without Township approval, the zoning relief will be declared void
- the applicant would agree to abide by the testimony presented to the Zoning Hearing Board
- the applicant will agree to execute and abide by a parking management agreement in a form satisfactory to the Township Solicitor
- the applicant will agree not to be open and not serve food between 4 p.m. and 6:30 a.m.

Mr. Loeper explained that this is intended to be primarily a breakfast and lunch type restaurant and many of the patrons would be guests at the hotel. He noted that the Zoning Hearing Board had some concerns that if you move into the dinner hours with that type of operation that additional parking problems may result.

The access to the site will be provided from King of Prussia Road; however, additional access will be provided by the proposed culvert over Abrams Run that will have two drive lanes.

The site has parking for 34 vehicles whereas the code requires 76 spaces for the proposed use. The site presently has parking for 29 vehicles. The Zoning Hearing Board granted a variance based in part on a parking management agreement proposed by the applicant. The agreement between the restaurant owner and the township is similar to one recently approved for the Atrium and Capital Grille site on Mall Boulevard as well as with the Lodgeworks Hotel and a potential restaurant on the former Penske site. Mr. Loeper explained that these agreements provide for various mechanisms for the township and the applicant to ensure that there is adequate parking and adequate ingress and egress.

Mr. Loeper indicated that currently there is no pedestrian access along Route 202. The applicant is requesting a waiver from providing sidewalks along

King of Prussia Road and DeKalb Pike. The culvert over Abrams Run will have a sidewalk to provide pedestrian access between the hotel and restaurant.

The plan indicates that there is a net decrease in impervious surface and therefore under the current code no stormwater detention is required. The applicant is proposing a series of drains to handle runoff from the new building.

Mr. Loeper indicated that the landscape plan is fairly extensive. He noted that while the applicant meets the tree requirement, a partial waiver is requested to place the trees in other locations. All the planting material is primarily along Abrams Run in the rear of the property. Currently there is paving all the way out to Route 202 as well as to King of Prussia Road. The applicant is proposing to place all of the landscaping and create a more natural setting within the creek boundaries.

Page 8 – 2/18/10

The applicant has requested the following waivers:

§145-10.A(3) When the development abuts an existing street of improper width or alignment, the township may require the dedication of sufficient land to widen the street or correct the alignment. *Mr. Loeper noted that this relates to road rights-of-way and in this particular case King of Prussia Road is a local road with a required right-of-way of 50 feet. The existing right-of-way throughout this area is 40 feet and the applicant is requesting a waiver from providing additional right-of-way along that section of King of Prussia Road.*

§145-20.C(2) Concrete curb and sidewalk shall be constructed along all existing streets and roads and along both sides of new interior street unless the Board of Supervisors shall otherwise direct that this construction shall be postponed or eliminated. *Mr. Loeper noted that presently there are no sidewalks along DeKalb Pike or King of Prussia Road. There will be curbing; however, they are requesting not to put in the sidewalks. The sidewalks at this time would not connect. They will be providing a sidewalk over to the hotel property.*

§145-24.1.e.1.A Street trees shall be required along all existing streets where they abut or lie within the existing subdivision or land development except where existing trees serve to meet the planting requirements. *Mr. Loeper pointed out that the applicant is providing the proper number of trees, but rather than providing them along Route 202, they will be providing them towards the rear of the property.*

§145-24.1.E.2.D Street trees shall be planted at a rate of at least one tree per 40 linear feet of frontage or fraction thereof. Trees shall be evenly distributed along the entire frontage of the property, although they need not be evenly spaced.

§145-24.1.H.1 All proposed structures, including parking garages and excluding single family residences, shall incorporate minimum plant materials in the landscape areas adjacent to the proposed structure. *Mr. Loeper indicated that this has to do with a planting area around the perimeter of the building. He said that this is something in the code that we do want to take a look at.*

§145-24.1.H.1.D Twenty-five percent of the area between the building and front building driveway curb shall consist of pervious planting areas. *In many of these cases we have situations where we have hard surfaces against the building. Plantings are located along the rear of the building but not along the building front due to the location of parking, sidewalks and entrances.*

§145-24.1.L Recommended tree species. *Mr. Loeper noted that applicant is proposing planting material not on recommended list.*

Staff requests the Board of Supervisors consider the following conditions:

1. Prior to site work commencement, the plans shall be revised to address the December 23, 2009 and January 20, 2010 letters to the satisfaction of the Township Engineer. *Mr. Loeper added to that any subsequent letter that has been issued.*
2. The site shall be managed in compliance with the April 15, 2009 Zoning Hearing Board decision. *Mr. Loeper said that typically the Township Engineer requires that all of the conditions and elements of the Zoning Hearing Board decision be incorporated into the recordable plans.*

Page 9 – 2/18/10

3. Prior to issuance of a building permit, a final copy of the parking management agreement shall be provided to the Township. *Mr. Loeper noted that this was also covered as part of the Zoning Hearing Board decision.*
4. The plans shall be recorded in accordance with the Pennsylvania Municipalities Planning Code.

Mr. McBride asked about the tree species that is not on our list. Andy Rau, counsel for RWK, introduced Thomas Malavasi, PE, project engineer, French & Parrello Associates, who provided a response from the audience. Mr. Rau reiterated Mr. Malavasi's response and indicated that the CMX letter identifies the species that the applicant's engineers are recommending and were seeking waivers for species that are more appropriate for the environment along Abrams Run.

Mr. Rau introduced Mr. Richard W. Kubach, owner of the properties, and Tien-Yueh Kubach, his daughter-in-law. He noted that the Kubachs for a number of generations operated the Melrose Diner in Philadelphia. Mr. Rau indicated that the applicant is proposing a breakfast and lunch facility in what has been a challenging site for many years and they look forward to rehabilitating that corner of Upper Merion so one of the key gateways into the township is viable and vibrant again.

Mr. Waks stated he understands the rationale for the waiver when it comes to sidewalks on DeKalb Pike, Route 202 and asked for the rationale for the waiver on King of Prussia Road. Mr. Rau responded that this is the first property at Route 202 into King of Prussia Road and there is a concern about encouraging pedestrian activity on King of Prussia Road. He said that with the easement and parking management agreement and the significant change of the walkway and roadway from the hotel site into the restaurant, the safer place for people to walk will be in this location as opposed to encouraging them to walk out on King of Prussia Road.

Mr. Jenaway indicated that in looking at the plan as well as his on site observation it appears that the canal is being reduced in size and he asked if this is true. Mr. Benner responded that the actual size of the stream channel is not being reduced and not being filled except in the area of the culvert. He said that as part of this review process the applicant's engineer had obtained the FEMA flood study for this existing stream channel and he detailed the requirements the applicant must meet. He indicated that the conditions of the banks will be changed somewhat by the addition of more plant material. Mr. Benner explained that it makes the stream channel a little rougher in that area and has to be accounted for as part of the hydraulic calculations. He said in doing that we want to assure that the flood elevations are not increased essentially on the upstream side of the existing culvert at King of Prussia Road –the area where the flood plain leaves the site and we do not want to have any negative impacts off site. In addition, we wanted to make sure that the flood plain did not widen and encroach further onto parking areas of the hotel. Mr. Benner stated that this was a vigorous analysis necessitating going back and forth several times with these calculations until CMX staff were satisfied that flood plain elevations are not being raised. Mr. Benner noted that in addition to the CMX review the applicant is required to submit to FEMA for a letter of map amendment for additional review and also to DEP for two general permits as it relates to the stream

crossing.

With regard to the base lines being used for those flood plains, Mr. Jenaway asked the dates of the most recent additional information from FEMA. Mr. Jenaway indicated that the reason he is raising this question is that he recalls in the past ten years there have been two significant events where the flooding in

Page 10 – 2/18/10

that area was significant. He does not want to have a situation where there is a plan approval that is based upon flood potential criteria of 15-18 years ago when there has been two events in the past ten years that are more significant. Mr. Benner responded that the date that they have used is the most recent FEMA flood plain analysis.

Mr. Jenaway requested that the two last major storms are considered in those calculations.

Mr. Rau stated that from a design standpoint he wanted to make sure that the Board is aware that the amount of the building footprint that is in the flood plain is being reduced. The existing condition is 1,650 square feet and that is going to be reduced to 1,500 square feet and it is also in an area that is going to be flood-proofed in a modern way unlike the current building.

#### Public Comment:

Roland Urbano, King of Prussia, commented about parking and traffic in the area.

#### Board Action:

It was moved by Mr. McBride, seconded by Mr. Jenaway, all voting "Aye" to approve the Phase III Development Plan as submitted [with 7 waivers and 4 conditions]. None opposed. Motion passed 4-0.

#### ACCOUNTS PAYABLE & PAYROLL:

#### Board Action:

It was moved by Mr. Waks, seconded by Mr. McBride, all voting "Aye" to approve the Accounts Payable [for invoices processed from January 8, 2010 to February 8, 2010, in the amount of \$1,302,899.25] and the Payroll [for January 8 and January 22, 2010 in the amount of \$1,286,113.78 for a total of \$2,589,013.03]. None opposed. Motion passed 4-0.

#### ADDITIONAL BUSINESS

## DELINQUENT SEWER ACCOUNTS

Chairman Bartlett asked residents with delinquent sewer accounts to contact the Township to satisfy any outstanding balance in order to avoid a lien or levy on their property.

Vice Chairman McBride commented on the recent snow storm and acknowledged the efforts of the public works crew in the snow removal process and several staff members who provided administrative support.

Chairman Bartlett pointed out that plow operators were working 16 hour shifts and also commented on concern expressed about the ridge of snow left in front of driveways. He explained that there are 12,000 driveways in Upper Merion Township and probably 12,000 driveways that had snow left in front of them as there are no other options.

### From the Public:

Roland Urbano, King of Prussia, expressed concern about a 4 x 4 sign next to his corner property. Staff will look into the matter.

Page 11 – 2/18/10

### ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 9:08 p.m.

---

RONALD G. WAGENMANN  
SECRETARY-TREASURER  
TOWNSHIP MANAGER

rap

Minutes Approved:

Minutes Entered:

The entire proceedings of the business transacted by the Board at this Business Meeting were fully recorded on audio tape, and all documents submitted in connection thereto are on file and available for public inspection. This is not a verbatim account of the minutes, as the tape is the official record and is available for that purpose.