

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
MARCH 17, 2011

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 17, 2011, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:35 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Joseph Bartlett, Edward McBride, Bill Jenaway and Erika Spott. Also present were: Ron Wagenmann, Township Manager; Joseph Pizonka, Township Solicitor; Rob Loeper, Township Planner; Russ Benner, Township Engineer; Angela Caramenico, Assistant to the Township Manager.

MEETING MINUTES:

It was moved by Mr. Waks, seconded by Mr. Bartlett, all voting "Aye" to approve the February 8, 2011 Special Bid Meeting and the February 10, 2011 Workshop Meeting Minutes as submitted. (note: The February 17, 2011 will be corrected as stated by Mr. Waks and considered at the next business meeting). None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman Edward McBride wished all a Happy St. Patrick's Day. The "Welcome to Upper Merion Township" video was shown and will be posted on the township website.

NEW BUSINESS

VALLEY FORGE CONVENTION CENTER RE: PARKING PLAN REVISIONS

Mr. Rob Loeper, Township Planner, stated that several years ago the Valley Forge Convention Center applied for a gaming permit from the Commonwealth of Pennsylvania. During the casino approval process, the township expressed concerns with parking and circulation at the site. Utilizing an aerial photo Mr. Loeper pointed out various aspects of the site which includes two hotels with about 500 rooms, 250,000 square feet of office space and 155,000 square feet of the convention center. The applicant proposes to convert 45,000 square feet of the convention center into a gaming casino licensed by the Commonwealth of Pennsylvania.

In response to the township's concerns with circulation and the impact of parking at the facility, the convention center owners hired McMahon Associates, Inc. to conduct a parking study and analysis. McMahon used the standards that are set forth by the Urban Land Institute (ULI).

Mr. Loeper referenced the recently amended parking ordinances that include provisions to allow for reduced and shared parking and the ULI study identified the existing and projected peak parking demand for weekdays and weekends based on the reconfiguration of the center. The study reflected lower overall weekend demand due to the absence of the office use at that time. Parking peaks would range in the neighborhood of 2,100 cars on a weekday and about 1,500 on a weekend. Mr. Loeper noted that the peaks vary by the time of day and he pointed out that the advantage of mixed use at a center such as this is that parking for offices consumes a great amount of parking and provides balance for the hotels that peak at night as well as some of the convention facilities which are weekend and the gaming facilities which could be at various times of the day.

The plan reflects a reconfiguration of the parking and circulation to accommodate the casino operation. The most obvious change includes the installation of a one-way driveway along the front of the building where the main casino entrance is located. Utilizing the aerial Mr. Loeper pointed out the area that will contain a drop-off for the proposed valet parking. He indicated that the primary valet parking lot will be accessible to the parking area, the casino and the entrances, but it will be separated from the other areas.

The north parking lot was also a concern since it is primarily used for trade shows or convention activities and with large events it is important to maintain adequate circulation primarily for emergency vehicles. The plan calls for increased islands providing greater separation between the main parking aisles with the advantage of helping to better direct the flows of traffic through the parking lanes.

The total number of parking spaces on the site will decrease from 2,300 spaces to about 2,200 spaces. In addition, the site has access to approximately 220 spaces on the adjacent site. Mr. Loeper noted that with the old traditional code the requirement would be in excess of 3,000 spaces since the former code did not take into account that the daytime parking demand is different than the nighttime parking demand.

Staff has reviewed the plans, found them to comply with township codes and are prepared to provide formal approval pending comment from the Board of Supervisors.

Mr. Loeper stated that the two conditions no longer apply since these items are covered in the memorandum of understanding between the convention center and the township.

Mr. McBride stated that he would like to have a vote on this matter even though it is a minor plan.

Board Action:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the parking plan revisions. None opposed. Motion approved 5-0.

CONSENT AGENDA:

1. Resignations re:
  - a. Gina LaMarra – Police Citizens Advisory Board
  - b. James Sheldon – Planning Commission
2. Permission to Advertise & Receive Bids re:
  - a. Municipal Building Roof Replacement
  - b. Matsunk WPCC – Settling Tank Rehabilitation – Phase I
3. Authorization to Apply for PIB Loan re: Allendale Road Bridge Repairs.
4. Resolution 2011-9 re: Fishing Rodeo

Explanation re: Item 3

Mr. Ron Wagenmann, Township Manager, stated that the township has been notified that there are deficiencies with the Allendale Road bridge. Since then weight restrictions have been posted. Mr. Wagenmann explained that this \$800,000 project will entail replacing the total superstructure of this bridge. The bridge will have to be redesigned and necessary permits obtained. He noted that in order to be eligible for a grant it will first be necessary to get the bridge project on the next bridge replacement bill. Since the timing of that bridge bill is not certain the idea is to borrow the money through the infrastructure bank at an interest rate of 1.625%. In this way \$800,000 of township money would not have to be tied up in the event it is needed for other purposes. Once the grant is received the township would repay the loan.

For the clarification of residents, Mr. Waks asked for the location of the subject bridge since there is more than one bridge on Allendale Road. Mr. Wagenmann responded that the subject bridge is located at the entrance to the Court (between the Court and the Pier I development).

Board Comment re: Item 4

Mr. Bartlett stated that the Fishing Rodeo, sponsored by the Optimists Club will be held at the township pond on April 2, 2011 from 8 am until 1 pm and is limited to individuals under 15 years of age. He noted that this is the opening day of trout season in Southeastern Pennsylvania.

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Bartlett, all voting "Aye" to approve the Consent Agenda as submitted. None opposed. Motion approved 5-0.

PRESENTATION RE: RECREATION SOFTWARE PACKAGE

Sudha Suryadevara, Recreation Superintendent, stated that Allen & Goel Marketing is the current web service provider for the Park and Recreation Department. In 2006 this company developed the website in order to allow customers to register online and has been very well utilized since then. Ms. Suryadevara noted that the site is very secure and she reported that in 2010 approximately 69% of Park and Recreation registrations were processed through the current website manually. Currently the township is using Municipay as a third party credit card processor. In order for the current website to interact with Municipay an upgrade is necessary for true live online registration. Ms. Suryadevara explained that the township website is powered by CivicPlus and does not have the recreation software component. As a result it is necessary to contract with a third party recreation software provider. Ms. Suryadevara is in receipt of quotes from Allen & Goel Marketing as well as two other vendors – Active Network and RecPro. Active Network is very large and well known in the recreation community. While there is no charge for their software, their fee consists of 1.5% to 3.5% of all fees that are collected by the department depending on the length of the contract. RecPro has a software fee; however, they also have a software fee, an annual support fee, additional fees for training, fees for hosting and a number of other annual fees.

Because of the existing relationship with Allen & Goel Marketing, it was recommended that the township continue with them to meet the website goals and needs. The quote received from Mr. Ronn Allen is a two tiered quote and the first price of \$9,300 will allow Park and Recreation to establish itself with the current Municipay system within three to four weeks. This would be a down payment toward the total cost of \$35,000 for the entire package.

Mr. McBride asked the total revenue that would go through this program. Ms. Suryadevara responded approximately \$600,000 to \$700,000 per year and approximately 69% of that comes through the online website.

Mr. Jenaway asked for clarification about the 1-3% percentages cited [for Active Network] and whether it was just the fees collected online or all the fees. Ms. Suryadevara responded all the fees collected online using the website.

Board Action:

It was moved by Mr. Bartlett, seconded by Mr. Waks, all voting “Aye to approve the recreation software package. None opposed. Motion approved 5-0.

PROPOSAL RE: CONCERT SERIES SPONSORSHIP CONSULTING

Mr. Wagenmann stated that this is a proposal to have Mr. Tom Blomstrom pursue sponsorship from various businesses in the township. He explained that Mr. Blomstrom would receive a percentage for all funds that he collects under a tiered formula. Mr. Wagenmann noted that Mr. Blomstrom has been working successfully with the Park and Recreation Department and has already obtained approximately \$30,000 in sponsorship fees. This proposal would give him the charge to continue and go after additional fees throughout the township for various programs that the Park and Recreation Department offers. He would only be compensated if he is successful in collecting fees.

Mr. McBride asked if it would be safe to say that acceptance of this proposal would mean that it would free up some staff time that is normally is involved. Mr. Wagenmann responded that it would probably provide some additional time to go after these sponsorships. He indicated that the consultant was more successful than the Park and Recreation Department has been in the last couple of years and if he is able to get some additional fees, it would be a significant increase in those sponsorship dollars over previous years.

Mr. Waks asked if the contributions that the consultant receives are contributions that the township otherwise would not be receiving. Mr. Wagenmann responded in the affirmative. He also noted that the consultant would only receive compensation for those fees that actually result from his efforts. The consultant would not collect on any other funds that staff might collect or someone else might be able to direct to the township.

Mrs. Spott offered a clarifying comment and said that while the proposal indicates “concert series”, it is her understanding from the last workshop that the service would be expanded to include such things as the farmers market and the tricentennial. Mr. Wagenmann responded that the motion should include those additional items for which the consultant is authorized to collect fees.

Mrs. Spott commented that it is her understanding that the idea was to include anything under the Township Foundation which is a 501 (c) (3). Mr. Wagenmann agreed.

Mr. McBride said that would be acceptable and he asked that the consultant provide the Board of Supervisors with a clarifying letter that can be attached to the original proposal.

Mr. Wagenmann stated that he would prepare an addendum.

Mr. McBride stated that the proposal would be for services from Blomstrom Consulting Network for a two tier package. Payment for services provided will consist of Tier 1: 20% of the first \$15,000 for all new sponsorships and donations received and Tier 2: 25% of \$15,000 and up for of all sponsorships and donations received. The motion would be to accept that proposal and it would also involve anything under the Township Foundation which is a 501 (c) (3) so that any new business the consultant would bring in as a result of that he would be eligible for the same remuneration.

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Jenaway, all voting "Aye" to approve the Sponsorship Consulting Agreement of Services for Blomstrom Consulting Network, with the aforementioned payment formulae to also include any event/activity under the purview of the Township Foundation 501(c) (3). None opposed. Motion approved 5-0.

AMENDMENT TO THE COMMUNITY CENTER STUDY

Mr. Wagenmann stated that at last week's informational meeting the consultant presented a proposal for the community center study. At that time the Board requested that the consultant broaden the study to include two additional sites -- one was identified and one was not. The consultant was asked to come back to the Board of Supervisors with an additional proposal to the original community center study. The expansion of the scope, at a cost of \$7,800, would include two additional financial operation models for the same program, provide two additional conceptual site plans depicting a possible building footprint, future expansion area(s), parking and circulation layout and a cost analysis of two additional site options to explore renovations and/or additions to accommodate the desired program.

Mr. McBride commented that he will support this additional proposal since he wants to get as much information as possible. The original idea was to start out with a grant without expending any township dollars, but it appears that the additional services will require an expenditure of township dollars.

Mr. McBride noted for everyone's information a news article concerning Haverford Township's experience in trying to build a community center on the old bubble gum factory site. While that township acquired land under eminent domain for \$1.26 million, with all their best intentions it is now being challenged in court with the possibility that they will have to pay millions more.

Mr. Jenaway stated that the reason additional funds are required for the study is that consultants proposed a single site which was the single business approach. The Board of Supervisors have now asked that they take a look at not just a brand new site from the ground up but also potentially existing structures and how they might be modified to be useable within the township. While there is additional cost because of the additional services being requested it makes better business sense to look at multiple options rather than have a single option at the high cost end of the spectrum. Mr. Jenaway indicated that he will make the motion to proceed with this addendum.

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Spott, all voting "Aye" to approve the Amendment to the Community Center Study as presented. None opposed. Motion approved 5-0.

CAPITAL REPLACEMENT PURCHASE FOR LAFAYETTE AMBULANCE SQUAD

Mr. John Waters, Chief Fire Marshal, stated there is a recommendation from Lafayette Ambulance Squad and the Fire and Rescue Services Board to replace a three year old ambulance which has now reached its three year replacement schedule. The cost of the new ambulance is \$101,030 through the COSTARS program which saves money by not having to go through the bidding process. The unit was budgeted to be replaced in 2011 for \$100,000; the cost of the new ambulance is \$1,030 over budget. Mr. Waters recommended that the Board of Supervisors approve this capital replacement purchase.

Mr. Jenaway pointed out that 7.8% off of the list price was saved by buying the ambulance through COSTARS.

Board Action:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the replacement purchase. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the Accounts Payable [for invoices processed from February 7, 2011 to March 7, 2011, in the amount of \$1,057,467.35] and the Payroll [for February 4, 2011 and February 18, 2011 in the amount of \$2,056,387.32 for a total of \$3,113,854.67]. None opposed. Motion passed 5-0.

ADDITIONAL BUSINESS

ELECTRONIC AND HAZARDOUS RECYCLING PROGRAM

Mr. Waks announced that on May 14 from 9 a.m. until 3 p.m., the township along with the county and the school district will host an electronic and hazardous recycling program at the middle school. There is a wide list of items that can be brought to the recycling program and the list will be posted on the township website and also appear on UMGA-TV. He urged residents to take advantage of this opportunity and commended Bob Rudzinski who worked very hard with the county to make sure that Upper Merion was one of the six sites selected this year by the county to host one of these programs.

TOWNSHIP MAP

Mr. Waks expressed appreciation to the staff for putting together the helpful and attractive township map that was mailed to residents. He noted that this publication was financed with advertisements and there was no charge to the taxpayer.

UPPER MERION POLICE DEPARTMENT

Mr. Waks thanked the Upper Merion Township Police Department for their professionalism following a recent high profile homicide.

TIMES HERALD ARTICLE

Mr. Jenaway made note of a favorable story in the Times Herald which reflected favorably on Upper Merion Township.

### ROADWAY CONSTRUCTION SEASON

Mr. Jenaway asked residents to pay attention to two upcoming construction projects. One project is located on North Gulph Road and will deal with the Village at Valley Forge. Since there will be a closure that will occur onto the Schuylkill Expressway, he encouraged interested persons to go to the Greater Valley Forge Transportation Management website for regular updates as well the PennDOT District 6 website. The second traffic impediment deals with the Route 23 Balligomingo Road intersection that will result in detours over the next two years. Anyone who uses these routes should pay attention to the website updates because they will be very timely and will be posted on a regular basis.

### UPPER MERION SWIM AND TENNIS CLUB

Mr. Jenaway also made note that the swim club would be open by Memorial Day and memberships are now available.

### WINTER MARKET

Mrs. Spott reminded residents of the Winter Market on Saturday. She also made note of the Township's Earth Day on Saturday, April 16 that will also correspond with a farmers market day.

### COMCAST FRANCHISE AGREEMENT

Mr. McBride referenced the current talks with Comcast and said that Comcast has indicated under the new contract they will discontinue the Senior Discount on the basic Comcast package. He urged interested citizens to write to the township supervisors with their opinions on this matter.

### SPENCER'S GIFTS

Mr. McBride commented on Spencer's Gifts, a store selling items for St. Patrick's Day that are derogatory to Irish-Americans and others.

### FORMER POLICE OFFICER

Mr. McBride commented on an 84-year old Norristown man, a former police officer, who is currently in the hospital.

### From the public:

Several residents commented on Spencer's Gifts; said it was bigotry and presented a petition to the Board of Supervisors. Some of the supervisors offered suggestions on various courses of action for citizens, including picketing, letters to the editor, avoiding the store, etc.

Mr. Robert Montemayer, a member of the Zoning Hearing Board, commented that the number of items being litigated has decreased significantly. He also followed up and commented on the Board of Supervisors discussion last week with regard to an alternate member appointment to the Zoning Hearing Board. A discussion ensued between Mr. Montemayer and Mr. Waks.

ADJOURNMENT:

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

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RONALD G. WAGENMANN  
SECRETARY-TREASURER  
TOWNSHIP MANAGER

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Minutes Approved:  
Minutes Entered: