

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
MAY 26, 2011

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, May 26, 2011, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:55 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; Russ Benner, Township Engineer; Judith A. Vicchio, Assistant Township Manager.

MEETING MINUTES:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the April 28, 2011 Business Meeting Minutes, the May 2, 2011 Joint Meeting Minutes, and the May 10, 2011 Special Bid Meeting as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman McBride reported on an executive session dealing with legal matters. He noted that staff had begun a training exercise in performance measurement.

NEW BUSINESS

LEASE AGREEMENT RE: UPPER MERION TOWNSHIP AND THE UPPER MERION SWIM AND TENNIS CLUB LTD

Chairman McBride announced that a special meeting will be held on June 2, 2011 to review the lease agreement between Upper Merion Township and the Upper Merion Swim and Tennis Club Ltd.

Mr. Paul Salamy, representing Rich Frey and the Upper Merion Swim and Tennis Swim Club management staff, provided an update on the progress of the swim and tennis club. He reported approximately 300 families have joined the club so far and registrations are still coming in. Because of some issues with the electricity, the opening has been pushed back one week.

Mr. Waks asked if there will be a credit or refund offered to the public because of the one week delay. Mr. Salamy responded that the swim season will be extended two additional weeks beyond Labor Day. While hours will be limited to 3:30 to 7:30 p.m. during the week while school resumes, it will be open full time on the weekends.

Mr. Waks asked if members would be notified about the schedule by email. Mr. Salamy responded the email is going out this evening as well as an update on the Facebook page.

Mr. Jenaway noted a number of people did not get the earlier email. Mr. Salamy said members should check the Facebook page and send an email to the general email mailbox so that the correct email can be added to the address list.

Mr. Jenaway commented the rundown facility has made a remarkable recovery in five months.

Mr. McBride stated this is an example of a project that everyone can be enthusiastic about where the township and a private entrepreneur develop an idea into something to benefit many families.

CONSENT AGENDA:

1. Equipment Replacement Request re: Replace Carpet and Paint - \$15,000
2. Resolution 2011-11 re: Participation of the Fire and Rescue Services within Southeastern Montgomery County Technical Rescue Task Force
3. Resolution 2011-12 re: Disposition of Township Equipment – 2006 Ford/Horton Ambulance
4. Resolution 2011-13 re: Disposition of Township Records
5. Permission to Advertise & Receive Bids re:
 - a. Sewer Invoicing – Contract #1
 - b. 511 Business Tax Services – Contract #2
6. Waiver of Fees – Lutheran Church of the Good Shepherd - \$1,810
7. Bid Recommendation re: Heating/Ventilation/Air Conditioning Service Contract: High Tech Inc. - \$29,358.00
8. Citizen Board Resignation re: Francis Schultz from the Planning Commission
9. Citizen Board Appointment re: Michael Sullivan to the Shade Tree Commission

Board Action:

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

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Bartlett, all voting “Aye” to approve the Accounts Payable for invoices processed from April 14, 2011 to May 12, 2011, in the amount of \$1,439,306.71 and the Payroll for April 1, 2011, April 15, 2011 and April 29, 2011 in the amount of \$1,834,652.14 for a total of \$3,273,958.85. None opposed. Motion passed 5-0.

ADDITIONAL BUSINESS

DELINQUENT BUSINESS TAXES

Mr. McBride stated there is a business in the township delinquent on their taxes. The total amount due to the township is \$41,731.00. Staff has recommended the township collect the owed dollar value without interest as the best way to get the bill paid and the issue straightened out.

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Jenaway, to approve the collection of \$41,731.00 abating the interest on this amount. None opposed. Motion approved 5-0.

FARMERS' MARKET

Mrs. Spott noted the opening day of the Farmers' Market was a success and encouraged residents to come out every Saturday from 9 to 1.

From the Public:

Dr. David Jacobs, President-elect of the Green Tree Subdivision, stated members of the community have submitted a petition to request that at a minimum an earth mound be remediated to DEP safety conditions. While the minimum standard indicates the earth mound can only be 35 feet high, the residents would prefer that it be eliminated. Dr. Jacobs requested that the Board of Supervisors submit their petition to the county and asked to participate in the meeting that takes place at the county level.

Mr. McBride stated he would be willing to deliver the petition himself.

Mr. Waks pointed out the mountain of dirt off of Anderson Road can be seen from PA Route 23.

Mr. McBride commented it can even be seen from the Dannehower Bridge.

Mr. Waks indicated a special meeting was held with the residents of the neighborhood and reported the entire Board of Supervisors supports the residents in this concern.

Mr. Joseph Pizonka, Township Solicitor, reported on the progress being made on this issue. The county has issued the third earth disturbance report in which they insisted the mountain be reduced to a 35 foot level. As a result of a meeting on May 23, 2011, the property owner is required to produce a drawing which will show the height of this hill. An additional meeting is scheduled with Mr. Gallagher's lawyer on June 14 to see if the property owner will provide voluntary compliance.

Mr. McBride explained that while the township does not regulate this particular operation, the Board of Supervisors is absolutely taking issue with this and using the power and resources of the township to work with the state and the county to resolve this situation.

Dr. Jacobs also expressed concern over the standing water in the area which represents a haven for mosquitoes.

Mr. McBride stated when DEP was out at the site they did check the standing water to make sure it was within the requirements of DEP; screening was done for mosquitoes.

Mr. McBride emphasized the petition will be taken to the next level with continued legal and public pressure.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:18 p.m.

RONALD G. WAGENMANN
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: