

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
JANUARY 9, 2014

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, January 9, 2014, in the Township Building. The meeting was called to order at 7:43 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway and Carole Kenney. Also present were: David Kraynik, Township Manager; John Iannozzi, Township Solicitor.

CHAIRPERSON'S COMMENTS:

Chairman Waks reported an Executive Session was held prior to this meeting to discuss legal and personnel matters.

DISCUSSIONS:

DISCUSSION OF A STUDY OF VOLUNTEER FIRE RESCUE & EMS SERVICES

Mr. Waks stated this discussion is a follow up to a previous workshop meeting during which the Fire and Rescue Services Board (F&RSB) was asked to submit comments to the Board of Supervisors about what they would like to see in an upcoming study about the future of the Fire and Rescue Services in Upper Merion Township. Dennis Orangers, Fire Chief, Swedeland Volunteer Fire Company compiled questions from the other three Emergency Response Organizations as follows:

Jim Gallagher, Chief, King of Prussia Fire Company

1. If the need exists, would the township support the hiring of a full/part time fire administrator who would perform administrative functions in support of the fire chief(s) such as grant writing, apparatus specifications, apparatus service/repairs, statistical analyses, budgeting, purchasing, etc.

Mr. Waks commented there is an ongoing process for the hiring of an Assistant Township Manager. One of the main requirements being sought is someone with significant grant writing experience not only for the Emergency Response Organizations, but also for other township departments. With regard to hiring a full/part time administrator, Mr. Waks indicated it would depend on

what suggestions are included in the Fire and Rescue Services Board study for submission to the Board of Supervisors.

Mr. Jenaway noted that item was brought up as part of the Strategic Plan drafted and approved by the Fire and Rescue Services Board a few years ago. At one point an amount was budgeted for this purpose; however, no action was taken and after a time it dropped out of the budget. Mr. Jenaway indicated a fire administrator is being used by a number of municipalities in the region to help relieve the administrative, logistics and maintenance burden of the fire chiefs and other chief officers, including EMS.

Mrs. Kenney commented she agrees about waiting to see what happens with the new Assistant Township Manager who would assume grant writing duties. She also felt there should be a way of looking at all three fire departments in a more comprehensive way for planning purposes.

With regard to a fire administrator, Mrs. Spott said as in filling any other position; there has to be a business case made for it.

Mr. Philips agreed that much depends on the selection of the Assistant Township Manager.

Mrs. Kenney asked about the authority level of the proposed fire administrator and if the final decision on determining such things as apparatus priorities would rest with the Fire Board or the Board of Supervisors. Pam Forster, Lafayette Ambulance, commented the authority for such decisions would depend on how the job description was written.

2. Does the township want to move to a regional response capability to include Bridgeport, Berwyn, Radnor, George Clay, Valley Forge, etc.? The Board of Supervisors keeps hinting at this potential and it was agreed that all options should be considered, but would they support this and do they want us to seriously look at these options.

Mr. Waks provided an affirmative response to this question. He stated Intermunicipal and intramunicipal options need to be looked at with neighboring municipalities.

A discussion followed and there was general agreement on a regional response capability in looking to the future in order to provide the best allocation of personnel and resources. It was pointed out that having a plan or study in place to say why it makes sense would be helpful in discussions with neighboring municipalities.

Pam Forster, Chief of Operations, Lafayette Ambulance

1. Where is the property in the township that could potentially be developed?

Mr. Waks indicated there are two major areas: the former golf course development is immediate and the Business Park redevelopment is going to take a little longer. There will also be redevelopment along US 202. Mr. Philips noted the Wegman's tract and another potential development (80 acres) at the northern end of the township on US 202 at JPI Properties. Mr. Jenaway mentioned the Piazza property.

2. Where does the Board of Supervisors see the growth in the township in regard to: homes, businesses, retail, open space. Interest is in increased population as well as tax base.

Mr. Waks stated there will be additional homes, businesses and retail in the Business Park and on the golf course property. He said there is not much land available to purchase for the township other than a dedication by a developer. The open space purchased over the last 7 or 8 years was due to the open space referendum.

A brief discussion followed guesstimating the possible increased population due to the anticipated development/redevelopment.

3. What are the plans for the community center?

Ms. Forster stated her main concern is parking and safety since people used to park along Valley Forge Road. Mr. Waks stated EMS call volume will increase due to the physical activity at the center. With regard to the parking issue, he indicated parking will not be allowed on Route 23. The township is working with the school district for auxiliary parking as needed. During these times people will be able to park at the school and walk the trails through the woods to the center.

Ms. Forster asked if ingress and egress would be made from Valley Forge Road. Mr. Waks responded in the negative and stated as part of the redevelopment of that property General Maxwell will be opened up and the township is working to have a light installed at Valley Forge and Caley Road and funds are included in the budget. While the light still requires state approval, the Transportation Authority's engineer is confident it will be viewed favorably by PennDOT.

Mr. Jenaway stated while there will be increased EMS calls that would accompany the occupancies at the community center, EMS would have easy access and egress because of the new flow and parking configuration that is planned. He suggested Ms. Forster ask for a presentation at the next Fire Board meeting.

- a. Will training rooms be available for Fire and Rescue Services to educate the public?

Mr. Waks stated when he and Mr. Jenaway served on the Community Center Subcommittee one of the major comments they received was the lack of meeting rooms in Upper Merion Township. Mr. Waks assured Ms. Forster adequate space would be available for EMS training to educate the public.

Mr. Jenaway commented the additional rooms would provide a great opportunity to create a retention approach and recruit volunteers.

4. What are the plans for the high speed line in Norristown – what area would be the most preferred with the least amount of impact on the township and current traffic?

Mr. Waks pointed out the SEPTA High Speed Line is 20 years away if they receive funding and it is too soon to consider associated issues.

5. Does the Board of Supervisors want to keep the current Insurance Services Office (ISO) rating?

Mr. Jenaway explained this is the rating by which properties are rated for insurance. Upper Merion currently has a rating of 4 on a 1 to 10 rating scale with 1 being the best. He said in his experience obtaining a 3 would require career staffing.

Ms. Forster asked when the last change in the ISO rating occurred. Mr. Waters responded about two years ago. He noted some insurance companies do not consider the ISO for homeowners; commercial properties are mostly affected by the ISO rating and those structures that are sprinklered get a better rate.

Gerry Dolga, Chief, Fire & Rescue Services, Swedesburg Volunteer Fire Company

1. What direction would the Board of Supervisors have concerning the 20-year plan and future revenues. What additional services would be involved with westward expansion of the township.

2. What are prospects for increasing the Fire Tax for replacement of the Capital Equipment funds

Mr. Waks discussed the western end expansion, specifically the former golf course, of the township and the funds anticipated as a result of the settlement of that case over the next 20-25 years. He pointed out 80% of the revenue from the property taxes goes to the School District and the township receives approximately 7-8%. The township will also receive revenue from the Business Privilege Tax. At the same time there will also be increased expenses associated with the expansion and projecting 20 years out is very difficult because there are national and international economic factors that are not in the township's control.

Mr. Dolga stated while he served on the Fire Board there were discussions about projecting out 20 years for the purchase of equipment. During these discussions mention was made about funding earmarked from the Fire Tax being used for something else and it was never replaced. He made the point how difficult it is to project out 20 years when so much is not in their control.

Mr. Waks commented the Capital Equipment Fund had mills stripped from it based on a political decision made by a former supervisor 10-15 years ago. He indicated it is an issue going forward and is something that needs to be addressed.

A discussion followed about the millage issue.

Dennis P. Orangers, Chief, Swedeland Volunteer Fire Company No. 1

1. Will we receive clear direction on where the volunteer fire service should be going; if there are services or actions that the Board of Supervisors feel we should or should not be dealing with.

Mr. Waks stated some of these issues have already been discussed. The discussion at this meeting should provide a significant amount of feedback for the Fire Board.

Mr. Jenaway suggested the Board of Supervisors should compile their individual ideas and provide the Fire Board with a list similar to what they have done for the supervisors. Mr. Waks commented that is a good next step.

2. The use of a third party study was not concerning to us; it would be helpful to have more direction on what changes are to be made.

Mr. Orangers commented when the officers meet they do not discuss "big picture" issues such as consolidation. They are focused on fire protection, training and all the other issues that go into being a volunteer and that is where

their mindset is.

Mr. Waks commented the reason for the workshop meetings is to obtain feedback and foster discussion for the future because of the significant challenges ahead and some tough decisions that will have to be made.

3. The Fire Board can perform a study, depending on how detailed; staff or the Fire Marshal's office should take the lead not the volunteers.

Mr. Waks stated this question has been covered earlier in this workshop session.

4. Supervisors should look into having one Fire Chief official that takes direction from the Board to implement any changes that are needed.

Mr. Waks asked for clarification about what was meant by "one fire official." Mr. Orangers responded their idea was to have one person to move forward to implement changes directed by the Board of Supervisors rather than four different chiefs who are looking at different issues in their different districts with different target hazards and different training because of the various areas being covered.

Kevin Smith, Assistant Chief of Swedeland, commented it would be difficult for them to provide input on the western part of the township when they may not even respond to that area and not know what their needs are.

Mr. Jenaway followed up on Mr. Orangers and Mr. Smith's last points which he said were well taken. He recalled in his last two years as chief they did more work with Valley Forge, Radnor and Berwyn than with the two other township companies because of call volume in that area which has higher development and higher traffic.

Mr. Philips followed up by making the point that some of the volunteers serve more than one company.

Mr. Jenaway commented on a previous study which recommended that in addition to EMS being dispatched to all calls on a highway that a fire truck also be sent. There was significant debate when that recommendation was made because at the time there were seven car accidents a day in Upper Merion which meant seven responses by EMS and seven responses by a fire station. Mr. Jenaway pointed out that would "kill" the volunteer system to go an additional seven or six calls that are not being done today.

Ms. Forster indicated the only thing she brought up about the study at the previous meeting was it stalled on the 20-year apparatus because input was needed.

Mr. Waks asked hypothetically about adding some people to the Fire and Rescue Services Board to serve on an ad hoc basis to help facilitate the study. Mr. Jenaway offered to help facilitate this process. He indicated it would be helpful to get some members of the business community involved and recalled he held workshops with business leaders to work through their issues for fire protection and what they were looking for from the fire company as well as EMS.

Mr. Philips asked about the possibility of dedicating one of the township staff members to help with the administrative work (typing). Mr. Kraynik indicated he would look into that, but he would have to understand better the workload and time commitment.

Mr. Jenaway indicated a template already exists and once its updated two or three items could be presented for input from the public. If a few people who are familiar with strategic planning could be recruited to assist, it would help the Fire and Rescue Services Board come up with some ideas.

Mr. Philips agreed it is a doable plan.

An unidentified member of the Fire Board stated the importance of follow through on the study recommendations and an authority figure to put the plan in place.

5. Last comments were regarding the Capital Budget and the need for more funding as stated during budget meetings to bring people up to the proper training levels with the proper equipment.

Mr. Waks indicated as stated previously during this meeting the millage Issue is something that needs to be addressed.

Ms. Forster mentioned Lafayette is looking to build a building. A discussion followed about how Systems Status Management might come into play for EMS.

Mr. Jenaway suggested as part of Lafayette's Capital Campaign there should be some kind of contractual arrangement with the health care providers because the Affordable Health Care changes that will drive health care response requirements.

Mr. Waks indicated the Board of Supervisors would provide the Fire Board with feedback on issues discussed at this workshop meeting.

ARDEN COURT DEVELOPMENT PLAN

Mr. Scott Greenly, Associate Planner, provided a recap of the Arden Court proposal which first came before the Board of Supervisors at the September workshop meeting. The applicant submitted a land development application for their property located at 620 W. Valley Forge Road and is proposing the construction of four separate building additions totaling 2,312 square feet. The applicant is also proposing the addition of 13 parking spaces to the site (south of the property), as well as the elongation of the existing emergency access drive at the rear of the site (north). In addition, the applicant is proposing the installation of a lined rain-garden to the south of the building to manage stormwater runoff from the existing impervious coverage on the site. The rain garden would ultimately drain back to the Deer Creek.

One of the main issues discussed at the last meeting was the location of the dumpster on the site. The applicant has been working with staff and members of the Deer Creek Homeowners Association and a plan has been worked out. The applicant agreed to cut back 10 feet of brush along the north property line and install a double row of evergreen trees behind the location of the dumpster to more effectively buffer the dumpster location from the neighboring Deer Creek properties. The applicant is also proposing to move the shed and repour a 8 x 24 foot concrete pad for the two dumpsters and angle the pad so that it drains towards the property. This will cut back on drainage going to the neighboring properties in the back.

Neil A. Stein, Esq., Kaplin Stewart, noted the applicant is in receipt of a review letter from Remington Vernick & Beach on November 22, 2013 and all engineering issues have been addressed. In addition the applicant received a letter of advocacy from Montgomery County Conservation District.

From the group discussion:

The Vice President of the Deer Creek Homeowners Association asked for additional clarification about the soundproofing around the enclosure to the dumpster as well as the time trash would be brought to the dumpster. He also requested some discussion about limiting the trash truck pick up times to between 10 a.m. and 7 p.m. Mr. Stein responded the applicant is proposing to rebuild the compound with a new PVC fence. He said there would not be any sound proofing associated with that. It would not be a masonry compound or have a roof. Some noise mitigation would be provided with the new compound and screening as well as the buffer behind the dumpster. While it is not a physical mitigation measure the applicant has also agreed operationally to limit access to the dumpster during evening hours. The compound will be designed to enable people to place goods and refuse into the dumpster without having to open both 8 foot wide gates. Since the gates generate noise as the cast iron buckles drag on the ground, wheels will be installed so that they roll instead of drag on the asphalt. This has been specified in the construction details. Mr. Stein stated trash pickup does not occur at night. The hauler comes twice a

week during the day and the applicant has been agreeable to ensuring that the trash gets picked up at a reasonable hour.

Ms. Christine Russell, Deer Creek, stated her husband was home sick one day and the trash hauler was emptying the dumpster at 7:30 a.m. She asked what times the employees will be able to access the dumpster as well as having the hauler pick up trash later in the morning.

A discussion followed about trash pickup times and what accommodations are possible.

Ms. Russell asked if there is a point of contact residents could call if they have questions or issues. Mr. Waks asked if the applicant would appoint a point of contact for the residents. Mr. Stein indicated he does not see that as a problem for the applicant and responded in the affirmative.

Mr. Jenaway cited for the record Chapter 91 of the Upper Merion Township Code, stating municipal waste and recycling collection is permitted weekdays, Monday through Friday from 7 a.m. to 9 p.m. and weekends, Saturday and Sunday from 8 a.m. to 9 p.m.

A discussion followed about the pros and cons of changing the ordinance.

Ms. Russell asked if there is a way to limit the times employees take the trash out at night since they can now do that 24/7. She said having the individual door so they do not have to open the double doors is reasonable but thought at one point there were guidelines agreed to so that employees would not dump the trash at 11 p.m. She asked the status of that issue. Mr. Stein indicated the applicant was in agreement.

Mr. Waks stated it sounds like the applicant is okay with putting that condition in the Resolution.

The Vice President of the Homeowners Association indicated they have still not come to a conclusion on their draft agreement and work will continue on the agreement.

THE TAMMARO GROUP SUBDIVISION PLAN, 1020 MT. PLEASANT AVENUE.
2-LOT SUBDIVISION W/TWIN DWELLING

Mr. Rob Loeper, Township Planner, stated the subject property is a 14,000 square foot lot on Mt. Pleasant Avenue Road that originally had a single family dwelling which was demolished in 2010. The lot has been divided it in half in order to construct a twin dwelling. The applicant plans to install seepage beds in the rear of the property. The Township Engineer is still asking for one or two minor calculations regarding stormwater. The twin family dwelling will have a two

-car garage with two additional parking spaces, minimal landscaping, but meeting code.

In response to comments from Mr. Philips, Mr. Loeper stated the applicant will provide seepage and indicated the problem in the past with the other nearby property was the potential of what it would do to the retaining wall. He said the retaining wall no longer exists which was one of the concerns regarding hydrostatic pressure on the retaining wall.

A discussion followed regarding stormwater during which Mr. Loeper described in more detail how and where the overall drainage would be located.

Mr. Loeper indicated he will make sure the Township Engineer is completely satisfied with the plan.

Mr. Loeper stated he has asked Tammaro for a copy of their letter from the Woods at Wayne homeowners and Tammaro has indicated they would provide that correspondence.

TARGET

Mr. Waks discussed the retaining wall associated with the Target development and the visual disparity between what appeared on the development plan and the final result. He asked for suggestions to help obscure the wall. Mr. Loeper stated the retaining wall was discussed at the planning commission.

Mr. Philips commented the contours were never looked at and a perspective from Henderson and US 202 was not provided. Mr. Loeper stated the plans barely show the retaining wall and part of the disparity is that it is such a sudden change and so close [to the road].

Mr. Philips asked if the SALDO should state that applicants must prepare perspectives from north, east, south, etc.

Mr. Waks suggested approaching Target about remediation, and Mr. Loeper indicated he would follow up. He noted they have still not installed all the landscaping.

Mr. Philips pointed out in looking at the plan he does not see a retention wall. He sees a fire exit route with a curb and landscaping all around that curbing. He does not see McDonald's which is hidden from US 202.

Mrs. Kenney asked if additional landscaping could be requested. Mr. Loeper responded that request could be made.

After a brief discussion, it was determined that vines would not be viable because of the damage that would result to the masonry. Another suggestion for the future would be to request the applicant to have something showing the contours highlighted with specific heights.

Mr. Jenaway mentioned the drainage in the corner behind the Sunoco Station. He indicated there is more water feeding into that location than should be and is not sure this exists because the complex is not yet completed. Mr. Jenaway pointed out during the last major rain storm, the water was at the top. Mr. Loeper explained that typically during construction there are sediment basins designed to hold the water so that the dirt can go down and just clean water goes out. He did not know if the main basin was completely finished, but he will check on the status.

Mrs. Spott commented it is her understanding that this discussion was triggered because of the McDonald's request for a 40-foot sign. Mr. Philips said the Zoning Board restricted them to 25 or 30 feet as a condition of this approval and they are coming back to the Zoning Board for relief. Mrs. Spott indicated her concern was having a huge sign in that location and there must be a better architectural solution.

Mr. Loeper noted McDonald's is a lessee of the shopping center; therefore, there is only one property owner to deal with.

A discussion followed about various signage in that shopping center during which it was noted the difficulty in locating McDonald's.

Mr. Waks stated the next step is to talk to Target about redefining the wall and also to Target and McDonald's about options for the sign. Mr. Loeper indicated he would follow up on Monday.

Referring back to the Arden Court discussion, Mr. Jenaway cited for the record Chapter 107, Nuisances, regarding the noise ordinance. He said the hours are the same as previously discussed about trash collection: 7 a.m. to 9 pm weekdays and 8 a.m. to 9 p.m. on weekends.

ADJOURNMENT:

It was moved by Mr. Philips, seconded by Mrs. Spott, all voting "Aye" to adjourn the workshop meeting at 9:28 p.m.. None opposed. Motion approved 5-0.

DAVID G. KRAYNIK
SECRETARY-TREASURER/
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: