

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
JUNE 16, 2011

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, June 16, 2011, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:46 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; Scott Greenly, Associate Township Planner; Russ Benner, Township Engineer; Judith A. Vicchio, Assistant Township Manager; and Angela Caramenico, Assistant to the Township Manager.

MEETING MINUTES:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the May 12, 2011 and May 19, 2011 Joint Meeting Minutes as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman McBride reported on an executive session dealing with litigation and staff matters. He also congratulated the Township's Chief Building Official/Zoning Officer Mark Zadroga who obtained the designation "Master Code Professional." In addition, Chairman McBride congratulated Ken Myers, the Township's Plumbing Inspector, for passing the Building Code Official examination.

NEW BUSINESS

PRESENTATION OF 2011 GRANTS TO UPPER MERION SPORTS ORGANIZATIONS

Mr. Dan Russell, Director, Park & Recreation and Supervisor Erika Spott presented the various sports organizations with grants approved for 2011. Mr. Russell explained that 10 sports and civic organizations have obtained grants from the Township in the total amount of \$24,700.00. Representatives from each of the ten organizations were called to the podium and gave brief presentations about their organizations and each thanked the Board of Supervisors for their support. The following were presented with 2011 grants:

\$1,900	Upper Merion Spring
\$2,850	Upper Merion Football Association
\$2,850	King of Prussia Soccer Club
\$1,900	Valley Forge Generals
\$1,900	Upper Merion Youth Wrestling
\$1,900	Upper Merion Music Boosters
\$2,850	Upper Merion Lacrosse Club
\$2,850	Upper Merion Crew Boosters
\$2,850	Upper Merion Baseball Association
\$2,850	Upper Merion Aquatics Club

CONSENT AGENDA:

1. Service Agreement re: Blackboard Connect, Inc.
2. Resolution 2011-14 re: Disposition of Township Equipment
3. Equipment Replacement re:
  - a. Purchase of Public Access Computers - \$8,055
  - b. Replace PC's & Monitors - \$15,000
4. Resolution 2011-16 re: Chapter 71 Revision – Act 537 – Amendment to the Sewage Facilities Plan, South Henderson Road Sanitary Sewer Extension
5. Executive Estates Bridge Repair
6. Bloomingdale Assessment
7. Appointment of Tricentennial Committee

Board Comment:

Mrs. Spott commented on item #2 and stated for the information of residents the Board of Supervisors remains mindful of budgetary constraints and only one of the six retired vehicles will be replaced. She further indicated when appropriate and to the extent possible any future purchases should be made with consideration to “green” vehicles and alternative energy.

Mr. McBride reviewed the names and positions of each Core Tricentennial Committee member.

Chairperson:	Michelle Gallagher
Vice Chairperson:	Rosemarie Gallo
Secretary:	Frank Luther
Treasurer:	Jim Ruddy
Valley Forge National Park Liaison:	Terry Stevens
Consulting Historian:	Michael Morrison
Staff Liaison:	Marianne Hooper
Board of Supervisors Liaison:	Ed McBride
Township Administration Representative:	Judy Vicchio

Board Action:

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

2010 FINANCIAL STATEMENTS – “COMMITTED” FUND BALANCE

Mr. Ron Wagenmann, Township Manager, stated in order to comply with the new guidelines issued by the Government Accounting Standards Board (GASB), the accepted designated titles must be used in audits. Under GASB’s definition the Revenue Stabilization Fund falls under the “committed” classification. The purpose of the Revenue Stabilization Fund is to be available and used as a supplement to the Act 511 Business/Mercantile Taxes in the event of any adverse economic condition that causes a sharp decline to the business/mercantile tax collections. Commitments may be changed or lifted only by the Board of Supervisors taking the same formal action that imposed the constraint originally.

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Spott, all voting “Aye” to approve the motion to designate \$2,000,000 in the Revenue Stabilization Fund as committed fund in the 2010 Upper Merion Township Financial Statements. None opposed. Motion approved 5-0.

PLAN AMENDMENT/MINOR PLAN RE: CHRISTOPHER GIRARDI.  
DEVELOPMENT PLAN. 214 W. CHURCH ROAD. BUILD 960 SF METAL  
STORAGE BUILDING ON FREE FLOATING CONCRETE PAD. LI-LIMITED  
INDUSTRIAL, 1.06 – ACRES

Mr. Scott Greenly, Associate Township Planner, stated that the applicant has submitted a development plan for property located at 214 W. Church Road. Utilizing the aerial he pointed out the general location of the subject property. The 1.06-acre parcel is in the LI – Limited Industrial District and is currently occupied by a landscaping business. The site improvements include a 525 SF existing structure, two paved asphalt driveways and stone parking throughout the rear of the property.

The proposal is to construct a prefabricated metal storage shed on a 24’ by 40’ concrete pad. The applicant is also proposing to re-ballast the stone parking area. The improvements will not result in additional impervious area.

The applicant received a Special Exception from § 165-146.E to permit the construction of the structure less than 150 feet from a residential district. The adjoining cemetery property is zoned R-2.

Staff has reviewed this plan and found it complies with all township codes, and will provide formal approval on June 20, 2011 pending comment from the Board of Supervisors.

Mr. Waks asked if any comments were received from any residents in the area. Mr. Greenly was not aware of any comments from residents and noted that the primary parcel in question was the cemetery zoned R-2.

Mr. Jenaway wanted to assure that the property was graded properly and asked for clarification about the impervious coverage and if the placement of the building on that property would disrupt the stormwater. Mr. Greenly was not aware of any such issues but said he would follow up and look into the question.

Without further comment from the Board, minor plan is approved and able to proceed.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mrs. Spott, seconded by Mr. Jenaway, all voting “Aye” to approve the Accounts Payable for invoices processed from May 12, 2011 to June 2, 2011, in the amount of \$1,022,065.91 and the Payroll for May 13, 2011 and May 27, 2011 in the amount of \$1,225,210.63 for a total of \$2,247,276.54. None opposed. Motion passed 5-0.

ADDITIONAL BUSINESS

TOWING SERVICES CONTRACT

Mr. Joseph Pizonka, Township Solicitor, stated that the Township towing contract was put out for bid in March, 2011 and bids were received from

Samantha's Towing and Jamison's Towing. Upon receipt of the bids staff did a market analysis of the rates and discovered some of the rates quoted were far below market and some were above. In addition there were some specifications that were omitted in the contract; therefore, staff recommends that these two bids be rejected and that the matter be sent out again as a Request for Proposal (RFP) which is different than a contract. Mr. Pizonka emphasized that this is not a Township contract. The Township does not pay for these services; it just permits the tower to tow in the township at the request of the Police Department. As such it is not subject to the technical bid requirements of the 2<sup>nd</sup> Class Township Code.

Public Comment:

Mr. William Anderson, owner of Samantha's Towing, expressed opposition to the delays experienced and rejection of the towing bids.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Waks, all voting "Aye" to reject all the towing services bids for the reasons stated by the Township Solicitor and to move forward with the RFP action as discussed by the Township Solicitor. None opposed. Motion approved 4-0.

PARK AND RECREATION DEPARTMENT PROACTIVE ACTIONS IN PREVIOUS YEARS REGARDING TOWNSHIP POND

Mr. Bartlett acknowledged actions that the Park and Recreation department took a number of years ago to install a fountain in the Township Pond which keeps both the pond and fish in the pond in good condition by oxygenating the water.

FARMERS' MARKET FATHER'S DAY ACTIVITIES

Mrs. Spott commented on activities at this week's Farmers' Market to honor Fathers' Day.

UPPER MERION SWIM AND TENNIS CLUB

Mr. Jenaway commented that the Upper Merion Swim and Tennis Club is due for final inspections tomorrow.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:24 p.m.

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RONALD G. WAGENMANN  
SECRETARY-TREASURER  
TOWNSHIP MANAGER

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Minutes Approved:

Minutes Entered: