

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
JOINT MEETING  
APRIL 11, 2013

The Board of Supervisors of Upper Merion Township met for a Joint Meeting on Thursday, April 11, 2013, in the Board Room, in the Township Building in King of Prussia. The meeting was called to order at 7:08 p.m., followed by a pledge to the flag.

CHAIRPERSON'S COMMENTS:

Chairperson Waks reported on an Executive Session before this meeting to discuss legal matters.

DISCUSSIONS:

SHADE TREE AND BEAUTIFICATION COMMISSION

ROLL CALL:

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Barbara Van Clief, Chairperson; Michael Sullivan, Vice Chairman, Bill Schutter, Staff Liaison; Michael Sullivan, Vice Chairman.

Ms. Van Clief outlined the following initiatives of the Shade Tree and Beautification Commission:

- Proposal submitted to King of Prussia Business Improvement District (BID) to partner to do tree planting along the business corridors of the township.
- A review of the tree ordinance will be done with the advice of the Penn State Extension Urban Forester; recommendations will be made to the planning staff as to stormwater management issues that should be included.
- Beautification awards will be presented again this year. Nominations for front yards and back yards should be submitted by May 15 so that the Shade Tree members can evaluate the gardens and the videos can be completed while flowers are still in bloom. Shade Tree members will have identifying badges as they make their rounds in the neighborhoods. Beautification awards have been publicized in the E-newsletter and will be placed on the township website
- Two grant applications have been submitted to Pennsylvania Community Forests for fall projects.

- The first grant is a tree inventory project for volunteers to catalog trees that are located in several township parks. It was noted how the i-Tree website would be of help for the inventory. The advantage of having the inventory is knowing what trees we have, what species they are and which trees are dead. This inventory will assist the Parks and Recreation Department to develop a management plan to make sure township trees are healthy and the tree canopy in township parks can be enhanced.
- The second grant is for actual tree planting which will be done by volunteers in Heuser Park, Bob Case Park and the connector trail.
- This coming Thursday six River Birch trees will be planted at Bob White Park to replace trees that have died or damaged by deer. These trees are being provided by the Tree Vitalize Program at a significant cost savings.
- Earth Day celebration is scheduled for April 27<sup>th</sup> and there will be a joint table for the Shade Tree and Beautification Committee as well as the Upper Merion Tree Tenders group.
- Ms. Van Clief provided information about the Emerald Ash Borer, an invasive species, highly destructive to ash trees which is threatening our area. This bright green beetle bores into the ash tree, circles underneath the bark, and kills the trees. Residents who have ash trees need to be aware of this bug and plan for the tree to be stressed.
- The Earth Day celebration coincides with Arbor Day activities. It was noted that Upper Merion Township has been a "Tree City USA" for many years which is evidence of the effort and dedication to retain this recognition.

Mr. Waks expressed his support and enthusiasm for the pending tree grants noted by Ms. Van Clief.

Mr. Philips asked for more information about the application process for the beautification awards. Ms. Van Clief responded all that is necessary is to email her with the name, address and phone number of award nominees so that Shade Tree members can make their rounds. Ms. Van Clief's email will be posted on the township website.

Mr. Philips suggested in addition to contact information; photos or videos should also be included, if possible. Ms. Van Clief responded that was a good idea and she is especially interested in backyards.

As Board of Supervisors Liaison for the Shade Tree Commission, Mrs. Spott commented about the i-Tree website and how helpful it is in planning landscaping and determining out how much energy will be saved by planting a certain type of tree. She suggested a feature on i-Tree be included on the township website, with an appropriate link, as well as in the E-newsletter. This information should also be included in a packet for developers who would be able to use this as a marketing tool. Ms. Van Clief responded this would help increase diversity because developers and landscape architects depend on

certain trees they are familiar with, but there are so many other trees that could be utilized. She noted the Emerald Ash Borer is one good example of why it is not good to have all one kind of tree.

Mr. Waks stated an informational packet beforehand will send a strong message that there are certain expectations for developers. Ms. Van Clief responded as the ordinance is strengthened it will help with that as well.

With regard to the proposed ordinance, Mr. Philips asked how Ms. Van Clief envisions stormwater management interplaying with plantings and if rain gardens would be part of the plan. Ms. Van Clief responded rain gardens could be part of the plan to help with MS4 requirements.

Mr. Jenaway commented if a developer packet could be assembled it might serve as a way to encourage developers to look at rain gardens as opposed to basic vegetation. Ms. Van Clief responded rain gardens are used as a sort of a generic term, but there are a lot of variations such as bioswales. She pointed out parking lots are a perfect example of where stormwater management that is part of the LEED infrastructure is needed.

#### PARK AND RECREATION BOARD

##### ROLL CALL:

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Dan Russell, Parks and Recreation Director; Neil Sardinas, Chairperson; Barbara J. Schafer, Mary Ann Ahearn, Eileen Connelly, David Burns.

Ms. Mary Ann Ahearn discussed the use of goats as a solution for invasive species removal, primarily the 10-acre parcel at Bob White Park and the collaboration with Yvonne Post a local expert on this process. Ms. Post's two suggestions were to hire a person who would manage everything with a large herd of goats that would be brought to a location. While a local business has not been found, there is a business in Maryland that could be utilized. Ms. Post's other suggestion was for the township to get its own herd of foraging goats that would be comfortable at Bob White Park. A mobile fence would have to be obtained so that goat foraging at different parts of the park could be addressed. Goats could also be used for other township parks and they could also be rented out.

Mrs. Spott asked about the cost of bringing in someone from Maryland. Ms. Ahearn responded they are still waiting to hear back on that. Mr. Russell stated the company is called Eco-Goats; their website is [www.eco-goats.com](http://www.eco-goats.com). Brian Knox is President of Sustainable Resource Management, Inc. and the

supervising forester for Eco-Goats. He would be available to provide the township with a free evaluation once the vegetation growth has started.

Mrs. Spott commented the Bob White Park for years has been plagued with invasive vine growth choking many of the trees. Treating the invasive growth with herbicides and chemicals would involve a significant expense whereas there is a very natural and environmental friendly alternative.

Ms. Eileen Connelly discussed the Outer Limits Program, enjoyed in Upper Merion for over 30 years, which provides challenging, adventure-oriented recreational activities for adults and children with special needs to assist participants in developing physically, emotionally and socially. This program has been enjoyed in Upper Merion for over 30 years. Ms. Connelly noted the adaptive equipment at the Heuser Park playground, and indicated she would like to see if there are private or corporate donations that might provide some tactile play items for children with autism.

Mr. Russell expressed appreciation to the Connelly family who raised over \$8,000 and made it possible for the adaptive play equipment to be placed in Heuser Park in memory of Shannon.

Mrs. Kenney asked if this type of adaptive equipment should be centered in one park or in various parks in the township. Ms. Connelly responded it should be in one place for starters to see how it goes. She noted that the merry-go-round is adaptive for wheelchairs and every time she goes to the park there are children enjoying it.

Mr. Waks asked if there is an organization or foundation that specifically raises money for this type of equipment. Ms. Connelly responded while she was not aware of any such foundation, donations can be made to the Park and Recreation Department or to the Outer Limits.

Mr. Waks followed up by stating the Board of Supervisors recently established a Board of Community Assistance (BCA) that will provide money to local organizations. He recommended submitting an application for consideration by the BCA.

David Burns discussed the two state-awards recently received by the Park and Recreation Department. The first award is a publication award for the best Park and Recreation Guide in the state and the second award is a programming award for environmental education which was won for the Earth Day Festival.

Mr. Russell noted both awards were provided by the Pennsylvania Recreation and Park Society which is the State Association of Recreation Professionals. This awards program is a highly competitive process.

Mr. Neil Sardinas, Chairperson, discussed the Upper Merion Farmers Market. Highlight as follows:

- The Upper Merion Farmers will soon begin its 4<sup>th</sup> season.
- It has a 10-person committee running the Farmers Market without any township funds.
- The market is located behind the township building and is open every Saturday starting May 18<sup>th</sup>.
- Approximately 20 vendors come to the market to sell their farm fresh goods and sustainable products directly to the community.
- The Upper Merion Farmers Market enhances the quality of life of Upper Merion by supporting an environment for community gatherings, education and interaction between residents and farmers. Some of the events include the Strawberry Festival, the Zucchini 500 race, and the Chili Cook-off.
- The Market supports increased public awareness through activities such as Solar Sunday, and the Lafayette Ambulance CPR Clinic.

Mr. Sardinas discussed the Valley Forge Park to Heuser Park trail. Highlights as follows:

- A multi-use trail connecting Valley Forge Park to Heuser Park is in the planning phase.
- A grant and matching funds have been designated for this project.
- The goal is to have this project under construction in 2014.
- The trail begins at the US 422 bridge, travels along the northern borders of the Lafayette Apartments and the Valley Forge Towers and continues along the northern fence of the Trout Run Water Pollution Control Center.
- Norfolk Southern Railroad granted permission for the trail to cross the Norfolk Southern grid spur at grade on the eastern side of the Trout Run Plant.
- An approximate 144 foot pedestrian bridge is required to provide passage over Trout Run at its flood zone.
- After crossing the stream, the trail will gradually climb to the eastern end of the Upper Merion compost area and terminate at Heuser Park.
- This trail is a portion of the Schuylkill West trail and the goal is that one day it will be able to connect from Valley Forge to Lower Merion and then from Lower Merion into Philadelphia.
- T&M Associates is the engineering firm contracted for this project.

Mr. Russell stated this summer marks the 29<sup>th</sup> consecutive year for Concerts Under the Stars, and this year the concert will be free for everyone. This year this event will be merged with the Tricentennial Committee each and every Sunday starting June 23 until July 28 at which time Tricentennial merchandise will be available for purchase.

Mr. Russell reported work continues on the Community/Senior Center. Weekly meetings continue to be held with the architectural firm. The design of the interior of the building is 100% complete and meets just about every need addressed in the feasibility study completed by Ballard King and Associates. The team is now working on the site plans and site design. A meeting is planned for next week at which time it is hoped to have the design and business plan completed by the end of this month or the beginning of next month so that the bidding documents can go forward. Current timeline calls for construction to start sometime in the fall of this year.

Mr. Russell expressed appreciation to the Park and Recreation Board for their endless hours of dedication. He said they all do their best to keep township parks as safe and clean as possible. Every month other than the winter months, each Park and Recreation Board member is given a specific park to inspect and report back to the Park Maintenance Division.

Mr. Waks stated the Park and Recreation awards demonstrate the high regard for the Department not just in the township and county but the entire state.

Mr. Waks asked for an update on field turf for some of the overused fields at Heuser Park. Mr. Russell responded field use was discussed at great length at the Park and Recreation Board's last monthly meeting. One of the projects the Board is working on this year as part of the Capital Budget is a complete Park Master Plan; Phase 1 of that Plan would be the additional acreage at Heuser Park and how it is to be developed. Everyone on the Board is sensitive to how heavily used Heuser Park is, particularly the football side of the park. Close to 500 usages per year have been calculated on those fields. After a Penn State review several years ago, it was determined anything over 80 uses is considered excessive. Mr. Russell stated as the Master Plan develops close attention will be paid to moving forward with the development of some fields. Whether they are synthetic or natural has yet to be determined.

Mr. Burns commented many of the sports teams would like a turf field. As discussed at their recent meeting, the Park and Recreation Board talked about working on three fields at Heuser (multi-purpose fields and a 90-foot baseball field).

Mr. Waks noted field turf prices have come down and while there are some issues with field turf it is certainly worth exploring and the Park and Recreation Board is doing a great job with that.

Mrs. Spott noted the Upper Merion Farmers Market will be represented at the Philly Farm and Food Fest on Sunday April 14<sup>th</sup>. Since there were more applicants than space available for vendors, their selection to participate reflects

great credit on the Farmers Market and will provide great exposure and recognition of the work they do.

As Board of Supervisors Liaison, Mr. Jenaway commented how pleased he is with the progress on the Community Center. Both he and Mr. Waks were involved with the Community Center idea from the beginning and helped shepherd it through the process.

Mr. Waks pointed out how good people, hard work, determination and good planning can make a difference. He also noted how pleased he is about the idea of having trails that would allow people to access the Community Center and future home of the Senior Service Center without necessarily having to drive there.

Mr. Philips referred to the discussion held at last year's budget meeting regarding the rubber matting for playgrounds that needs replacing. He wanted to make sure Mr. Russell includes this in the Capital Budget for next year.

Mrs. Kenney asked if it is necessary to cut back areas of the park each time goats are moved from one area to another. Ms. Ahearn responded Yvonne Post indicated goats will eat up as high as they can reach. Well established woody vines that wrap around many of the trees would have to be severed at the base. Goats would be effective on new growth and once it is at a base level they can take it from there.

#### POLICE CITIZEN ADVISORY BOARD

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Tom Nolan, Chief of Police; Jennifer Schauble, Chairperson; Frank Rodrique, Vice Chairperson; Jeffrey McCabe; LaVera Seymour; Matt Frangiosa;

Ms. Jennifer M. Schauble, Chairperson, stated the primary goal of the Police Advisory Board is to be a forum and opportunity for the exchange of information between the citizens of the township and the Upper Merion Police Department. She highlighted a variety of ways the Police Department interacts with the citizens of the township:

- Fingerprinting of children who visited the Farmers Market in May of last year; this service will be available again at the end of May at the Farmers Market and the Community Fair in September 2013.
- National Prescription Drug Take Back Day sponsored by the Drug Enforcement Agency (DEA) was held in September 2012, and the next scheduled event will be April 27, 2013. There is a "drop box" in the lobby of the Township Building where prescription or non-prescription

medications can be dropped off for safe disposal 24/7. In 2012, about 120 pounds of expired, unwanted or unused pharmaceutical controlled substances and other medications were brought to the Police Department for disposal.

- Police Week will be held this year and will include children's fingerprinting.
- Drug Abuse Resistance Education (DARE) classes are currently ongoing at Mother of Divine Providence School for 15 students. State funding is no longer available for the DARE program for the Middle School. The closest training facility for new DARE officers is in Maryland which would incur a lot of expenses for travel and time driving down and back for the Police Department. The DARE program will be replaced with the "Cops and Kids Program" called "Women with Goals" which is currently ongoing with Detective Connie Marinello. Detective Marinello is one of the juvenile detectives and she is starting with the Middle School which is a very critical age for kids. Officer Krause will be doing a program called "Men with Goals."
- Citizens Police Academy which normally starts in March will not be held this year, but will resume in March 2014. Since there will not be a Citizens Police Academy this year, the Police Department is working with the Park and Recreation Department to add as a summer activity program, "Cop Camp" for younger kids, which is designed for township youth to educate them as to what a police officer does, why they do the things they do, and help develop a good relationship with the youth outside of the schools in a less formal environment.
- Three new officers were hired this year.
- New officer hiring process. There was a written test given on March 9, 2013. The physical agility test was given on April 7<sup>th</sup> and oral interviews will be held on April 23, 24, and 25. Two replacements will be hired for current vacancies and an eligibility list will be established for future hires in anticipation of upcoming retirements.
- There will be a Bike Patrol Unit consisting of six officers from the Patrol Division on a voluntary basis. It will be used throughout the township for township events such as the numerous 5K events that are held. Training will be held later this month and there will be a Bike Safety event for the youth in the township to celebrate the start of the Bike Patrol Unit.
- Another new program is called Walk for Life which will allow first responders to access resident homes in the event of an emergency. It is recommended for seniors who live alone and who are experiencing medical conditions and aims to decrease response time during



emergencies. A key lock box is placed on the door similar to a realtor box; and the program is at no cost to the resident.

- The recently established Chaplain Program is a volunteer partnership between the clergy in Upper Merion and the Upper Merion Police Department. The purpose is to help improve the quality of life for township residents and the Police Department. It will help maintain strong community relations by exchanging vital information between parties and help residents through troubled times in the event of a death notification. It will help the police officers perform their duties more efficiently.
- Last year Tom Nolan was welcomed into the Chief of Police position.

Mr. Jeff McCabe complimented the School Patrol Unit that was begun shortly after the Sandy Hook shooting.

As a biker, Mr. Waks is particularly looking forward to the Bike Patrol Unit. He said having police on bicycles will serve to slow down aggressive drivers, and it is also a great way of providing community outreach.

Mr. Jenaway pointed out in a community the number one objective of government is to provide a safe place for the people who come here, live here, and work here, and the Upper Merion Police Department does a great job assuring public safety.

Mrs. Kenney indicated she appreciates the expeditious notifications about potential child endangerments, and the new Chaplain Program. She asked when the Chaplain Program will begin. Chief Nolan responded the orientation session was held yesterday and the planned kick off date is May 1<sup>st</sup>, and will be formally introduced at the May 16<sup>th</sup> Board of Supervisors Meeting. The chaplains have their ID's and are available now, if needed.

Mr. Philips asked how many chaplains are now part of the program. Chief Nolan responded there are currently five chaplains of different faiths.

Mrs. Kenney asked if more chaplains will be added over time. Chief Nolan responded more will be added as the initial group discusses this initiative with other clergy. He said they meet on a monthly basis and he was invited to come to their first meeting to discuss the program.

Mrs. Spott commented oftentimes there are informational presentations at the Police Citizen Advisory Board meetings that would be of great interest to the community and these should be advertised and promoted.

Mrs. Kenney asked about the cancellation of this year's Police Academy. Chief Nolan responded there was not a strong demand this year and since the

Department is undergoing many transitional phases with people learning new jobs and new programs starting, it was decided to push it off one year.

## PENSION ADVISORY BOARD

### ROLL CALL:

Supervisors present were: Greg Philips, Erika Spott, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: Dave Kraynik, Township Manager; Eric Medrow, Chairperson; Tom Nolan, Vice Chairperson; Sara Evans, Human Resources Director; Vincent Mallon; Andrew Andreyko, Police Representative; Sudha Suryadevara, Non-Uniformed Employee Representative.

### DISCUSSIONS:

Mr. Eric Medrow, Chairperson, discussed the Upper Merion Township 401A Defined Contribution Retirement Plan as of December 31, 2012. Highlights as follows:

- This is a Defined Contribution Plan (similar to a 401K Plan) which is administered by ICMA-RC, Washington, D.C.
- Plan participation is mandatory for all civilian employees.
- Plan requires seven years of service to be 100% vested.
- Employees contribute 3% of wages and the township contributes 6% of wages.
- There are currently 103 active employee participants in the Plan #109382.
- Employee contributions are \$4,947,340 and the employer contributions are \$8,205,652.
- Total assets in the 401A Defined Contribution Plan is \$13,239,277.
- There is a loan provision allowed in the 401A, although loans are not encouraged. The total outstanding loan balance is \$28,095.

Mr. Medrow discussed the Upper Merion Township 457 Supplemental Pension Plan as of December 31, 2012.

- 457 Plan was designed specifically for municipal employees.
- Current service provider is ICMA-RC, Washington, D.C.
- Participation is mandatory for all the uniformed police employees and optional for civilian employees.
- Currently there are 150 active employee participants.
- Assets held by ICMA-RC, Account #: 301437 are \$13,345,077.

Mr. Medrow discussed the Upper Merion Township Retirement Health Care Savings Account (HSA) as of December 31, 2012. Highlights as follows:

- Administered by ICMA-RC, Washington, D.C.

- Participation is open to all township employees on a voluntary basis.
- There are currently 16 active employee participants in this Plan.
- Total Plan assets \$930,651.
- IRS in its private letter ruling has rescinded authorized employee variable contributions effective January 1, 2008.
- Current employee contributions have been suspended.

Mr. Philips asked for clarification about variable contributions. Mrs. Evans explained if one employee wanted to contribute 3% and another employee wanted to contribute 6%, the IRS ruled that in a group it has to be the standard percentage across the board so there could not be any variations within this plan.

Mr. Philips commented then that would mean the 16 active employees are not contributing to that plan any further. Mr. Kraynik stated it appears like it [total Plan assets of \$930,651] is frozen until new agreements can be negotiated incorporating a more uniformed contribution program consistent with the IRS ruling. The IRS ruling came after the last collective bargaining agreement.

Mr. Philips asked if the 16 active employees could use their Health Savings Account now. Ms. Evans responded in the negative.

Mr. Philips asked if the Health Savings Account is totally frozen. Ms. Evans responded in the affirmative.

Mrs. Kenney asked for additional clarification. Ms. Evans explained contributions are made to the savings account for retirement. After retirement funds can be drawn down for health care expenditures.

Mr. Kraynik commented if one of the 16 employees retires then they can activate it. Ms. Evans agreed.

Mr. Medrow discussed the Upper Merion Township Volunteer Firemen's 401 Pension Plan as of December 31, 2012. Highlights are follows:

- The current service provider is ICMA-RC.
- There are currently 93 volunteer firefighters and emergency responders participating in this retirement plan
- Assets as of December 31, 2012 is \$40,000

Mr. Kraynik commented this is a very innovative plan and the first one he has seen in the state.

Mr. Medrow discussed the Act 600 Police Pension Plan as of December 31, 2012. Highlights are as follows:

- This is a Defined Benefit Plan, not a Defined Contribution Plan.
- With a Defined Benefit Plan the employee is promised a certain amount of benefit when he retires and that benefit is funded totally by the employer, in this case the township. That money is then set aside and the township is totally at risk for the management of this money.
- A Defined Contribution Plan is different than a Defined Benefit Plan. The employee contributes to the Plan up to certain percentages as indicated by law and the contributions within the plan thereafter are designated by the employee and the risk is with the employee as opposed to the employer.

Mr. Waks commented pension plans having trouble in Harrisburg and elsewhere in the state are Defined Benefit Programs. He noted the plan established for the Volunteer Firefighters is a Defined Contribution Plan.

Mr. Medrow indicated that less and less is seen of Defined Benefit Plans nationally, but by state law (Act 600) a Defined Benefit Plan is in place for police. Highlights of the Police Pension Plan are as follows:

- Custodian is the PNC Bank, Pittsburgh, Pennsylvania
- fund manager is Daniel F. Dent of Baltimore Maryland
- The actuary is Thomas J. Anderson and Associates, Media, Pennsylvania.
- Total assets as of December 31, 2012 is \$38,828,640 and are currently over \$40 million.
- Activity for the year 2012, investment income: \$1,074,304, benefits paid: \$1,641,597.72, fees and charges: \$37,580.

Mr. Kraynik stated it is important to note that the Pension Board meets quarterly and twice a year Mr. Dent provides a detailed review of the plan performance.

Mr. Medrow discussed the Upper Merion Township Health Care Plan as of December 31, 2013. Highlights as follows:

- Administered by the Delaware Valley Health Insurance Trust (DVIT) of Horsham, Pennsylvania
- There are 174 employees, 42 retirees, and 399 spouses and dependents covered by DVIT amounting to 615 plan participants.
- Medical claims in the last year: 2,595,634.
- Dental claims: 353,373.
- Prescription claims: \$701,022.
- Total claims processed: 3,650,629.

Mr. Waks commented that he recently became Board of Supervisors Liaison to the Pension Advisory Board and has been impressed with the professionalism demonstrated by the Pension Advisory Board.

Mr. Waks asked for clarification about the percentage of liabilities covered in the Police Pension Plan. Mr. Medrow responded 90% of total liabilities are covered.

Mr. Kraynik pointed out Upper Merion has one of the better performing plans in the state.

ADJOURNMENT:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to adjourn the joint meeting at 8:53 p.m. None opposed. Motion approved 5-0.

---

DAVID G. KRAYNIK  
TOWNSHIP MANAGER

rap  
Minutes Approved:  
Minutes Entered: