

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
JOINT MEETING
MAY 12, 2010

The Board of Supervisors of Upper Merion Township met for a Joint Meeting on Thursday, May 12, 2011, in the Board Room, in the Township Building in King of Prussia. The meeting was called to order at 7:00 p.m., followed by a pledge to the flag.

PLANNING COMMISSION

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Rob Loeper, Township Planner; Robert S. Krutsick, Chairperson; Supervisor Ed McBride and Supervisor Erika Spott were absent.

DISCUSSIONS:

Mr. Robert Krutsick, Chairperson, reported the Upper Merion Township Planning Commission held 11 meetings during 2010 and attendance continues to be excellent. The number of meetings was reduced largely to the downturn in land development activity. In 2010 reflecting these conditions, the Planning Commission reviewed only one significant development plan which has been approved and is operational -- the YSC Sports facility on County Line Road. Other significant developments include:

- Wegmans at Village at Valley Forge
- Plan developments at the Plaza; Planning Commission review was not necessary
- Informal meeting with owners of Valley Forge Shopping Center regarding proposed redevelopment that includes a Target store. Developer is interested in retaining small businesses throughout this small shopping center area.

Mr. Krutsick noted other initiatives which include:

- updating township development regulations during workshops that were held throughout the year.
- Business Improvement District (BID) has been implemented with a director in place.

- BID has formed a land use committee to provide input on the proposed ordinance for the residential office district on South Gulph Road.
- An April workshop focused on flag lot regulations
- In May the draft of the proposed recreation park and open space district was reviewed with a view to replace both the Agricultural and RA Recreational District with a Recreation Park and Open Space District. Consideration was given to the impact on those properties if any action were taken to create that district.
- Montgomery County Planning Commission issued a model ordinance for the Residential Office District and a review was done for possible application to Upper Merion Township.
- A presentation was conducted on the potential consolidation of the Suburban Metropolitan Districts and the Administrative Research Districts and the Light Industrial and Heavy Industrial Districts.
- Discussions were held regarding sustainability and some Planning Commission members attended a presentation by the Delaware River Planning Commission on that topic.
- Other discussions included the review of the proposed Target store at the Valley Forge Shopping Center.
- In September lengthy discussions were held regarding form based codes – form following function rather than function following form.
- In December non-residential parking requirements in township were discussed.

In 2011 an aggressive schedule has been set to complete the revisions to the zoning code.

Mr. Rob Loeper, Township Planner, presented a summary of the status of the code update; a goal has been set for completing review within this fiscal year. He noted that one of the big changes was in the residential districts adding regulations governing impervious surface. A lot of time was spent working on the Recreation, Park and Open Space District. Mr. Loeper commented on the Age Restricted District (R55) and while everyone is supportive of this type of housing in Upper Merion; the right mix and location has not been found in order to adopt it. As noted earlier, the biggest code change with all of these districts is they will be form based, shorter and easier to read with more charts and examples. The non-residential district regulations will be taken up later in the year to await

further input from Business Improvement District's land use committee regarding the business parks, the main business areas along Route 202, Henderson Road and the South Gulph. It was noted the South Gulph corridor presents the biggest challenges because of the various constraints and the mix of land uses. The area where the most amount of change will be seen will be the Henderson Road corridor with the opening of the ramps and widening. This area has a very low dollar value per acre when compared with other business areas in the township.

Mr. Loeper stated a review continues with regard to digital signs. He noted there are numerous municipalities in Southeast Pennsylvania currently having their sign codes challenged and every attempt is being made to construct a conservative ordinance that will withstand any challenges.

A review is being made of general regulations which encompass a very large section of the code and deal with issues including modification of yards and fences, outdoor lighting, noise standards, and screening.

Mr. Loeper discussed the Flood Plain Conservation District and reported FEMA and the County are still reviewing. Because of new Department of Environmental Protection regulations anything related to stormwater will change and be passed down to the municipalities to enforce.

The next group of ordinances were administrative and basically need minor fine-tuning to assure consistency. Alternative energy is a proposed new ordinance which is being researched.

While there has not been a significant amount of land development activity recently, Mr. Loeper predicted there will be several developments coming forward in the near future and he outlined some of those developments.

Mr. Jenaway emphasized the updated code will be a reworked document containing and reflecting new concepts and recognizes new technologies.

Mr. Bartlett asked about the site next to Trout Run that was discussed as a possible R55 Residential District and the delay might be due to some environmental concerns. Mr. Loeper responded that while the R55 District is on the books it has not yet been mapped. While the owner of the site in question had submitted a request for rezoning from SM to R55 last year, it was withdrawn. Mr. Loeper was not aware of their current plans at this point.

Mr. Bartlett asked for clarification about the G Residential and HR Districts. Mr. Loeper responded the G Residential District is the Garden Apartment District and the current model is basically limited to a two story building and their review is looking for more creative design and open space. The current High Rise (HR) District has a minimum height of six stories and a current review is being made to call it a High Density District in order to

accommodate the type of building being built today.

Mr. Bartlett expressed concern that there is not much undeveloped space remaining in Upper Merion and higher buildings will create a more city character for Upper Merion. Mr. Loeper responded that for a High Rise District the review is not focusing on adding height but just the way it is currently done. It does not mean a 20-story building will be allowed and is not part of the proposal at this time.

Mr. Waks followed up on Mr. Bartlett's comments about the R55 District at Mancill Mill Road and said he suspects the reason it is not on the agenda of the Zoning Hearing Board related to finances in the housing market as opposed to environmental issues.

Mr. Waks expressed appreciation to the Planning Commission for working so well with the Business Improvement District.

Mr. Jenaway stated it might be helpful to hear some comments about the integration of living space with work space is the new generation model of living. Mr. Loeper explained earlier in Upper Merion's history everything was automobile oriented with separate uses for residential, retail and business. People are now looking for newer models that integrate those uses. With a mix of uses, people could live in an environment where they are not dependent on a car but would have the amenities of a more diverse community. It appears to be the number one redevelopment trend people are seeing throughout the country.

Mr. Bartlett clarified that at the site next to Trout Run he referred to earlier an Act 1 clearance was sought from DEP and was denied and he provided a brief summary of the Act 1 process.

FIRE & RESCUE SERVICES BOARD

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Bill Daywalt, Deputy Fire Marshal; Gerry Dolga, Vice Chairperson (Swedesburg); Pamela Forster, Chairperson (Lafayette Ambulance); William L. Gittins, Secretary (Citizen Rep); Chris Camarda (Swedeland); Mark Ross (King of Prussia); Charles S. Rossi (Citizen Rep). Supervisor Edward McBride, Supervisor Erika Spott and Eugene M. Lonchar (Citizen Rep) were absent.

DISCUSSIONS:

Pam Forster, Chairperson, discussed the major 2010 accomplishments:

- reviewed and categorized the standard operating guidelines to create a library and adopted guidelines on moving forward before the Fire Board and the Board of Supervisors.
- Reviewed and completed the ISO rating for the township. It was noted that it was previously a rating of a 5 and is now a 4 which could mean significant insurance premium savings for homeowners. It was recommended that homeowners contact their insurers to see if they are eligible for reduced rates.
- Managed the capital budget (three vehicles were purchased last year) and also generated the 2011 operating budget for the fire companies and the ambulance service as well.
- Currently pursuing the international accreditation for all four emergency agencies. King of Prussia now holds that accreditation.
- Developed a volunteer pension plan that was adopted by the Board of Supervisors in 2010.

Ms. Forster reported the 2010 response data for the entire emergency contingent totaled 4,082 calls as compared with 4,143 calls in 2009 and 4,283 in 2008.

Ms. Forster outlined the 2011 objectives:

- manage the fire apparatus acquisition fund and the purchase plan. It was noted this year the purchase of one support vehicle was delayed.
- work to develop a five year capital plan in conjunction with the 20 year replacement schedule and revamp to see what replacement vehicles can be delayed.
- finish implementation of the Fire and EMS computerization
- move forward with the International Accreditation for all four agencies with completion by Spring of 2012.
- review and update strategic plan for adoption in conjunction with the accreditation.

Ms. Forster pointed out Upper Merion Township has a large fire and rescue system comprised on the fire side of all volunteers and a combination system on the EMS side. Volunteers save Upper Merion taxpayers approximately \$8.4 million in tax dollars and have a huge impact on the township.

Mr. Jenaway pointed out business owners as well as residents benefit from the savings realized in tax dollars and might also benefit from insurance savings. He emphasized the overwhelming majority (75%) of communities our size with a 25,000 population and above have mostly career or fully career fire

and EMS agencies.

Mr. Waks said another way to quantify the \$8.4 million dollars per year is it represents about one third of the township's operating budget and without those volunteer services the taxpayers would be paying about one third more in taxes. Mr. Waks commented that the Board of Supervisors was pleased to promote the idea of a pension plan. Ms. Forster noted volunteerism is down in all four agencies and it helps to have a better benefits package to encourage volunteers.

Mr. Waks asked for additional comments about the "brick" program. Mark Ross, Chief, King of Prussia Fire Company responded that the "brick" program was initiated in conjunction with the 9/11 memorial which is being built by the King of Prussia Fire Company and scheduled for completion on September 11, 2011. The "brick" project is an opportunity to purchase bricks to personalize and memorialize someone or a special date in your life. Additional details and order form are on the King of Prussia Fire Company website www.kpvfc.com.

Mr. Waks commented that the taxpayer savings realized because of the volunteer agencies is commendable, but they do something far more important in saving lives and helping residents and visitors in countless ways.

Mr. Bartlett said he was impressed with the total number of response calls. He noted his son is a volunteer at the King of Prussia Fire Company and knows firsthand how many hours are devoted not only to firefighting but the non-stop training that is required to maintaining firefighting skills.

Mr. Wagenmann noted because of volunteer services, taxes are lowered by one third and without them real estate taxes would more than quadruple and would average between \$600-\$700 per household.

Mr. Jenaway asked Chief Ross to comment further how an accreditation benefits Upper Merion Township.

Chief Ross explained the accreditation process is a comprehensive review of policies, procedures and response data by peers throughout the nation. This comprehensive review makes sure the services are operating not only properly but on the cutting edge and safely. Chief Ross noted response times are where they need to be to serve the public and money is saved by doing it this way. The King of Prussia Fire Company started the accreditation process in 2000 when the company was first accredited and became the first agency in the nation on a volunteer basis to be accredited. This was followed up in 2006 with the second accreditation and now all four agencies are included going forward. It is a great tribute to the community, for the businesses and it speaks well for the fact that we do the job better here than anywhere else in this country.

Mr. Jenaway commented Upper Merion Township is one of the few

comprehensive agencies in the state where all of its volunteer fire companies have achieved a level of training certification consistent with the state fire commissioners program. Our EMS agency is licensed by the state and the three fire companies have all achieved various levels of rescue certification within the voluntary rescue certification program in the state. The performance level in Upper Merion is higher than in any of the adjacent communities and probably more than 95% of the communities in Pennsylvania.

Mr. Jenaway stated because of the recent population turnover many people may not be aware that Upper Merion Township has a comprehensive sprinkler ordinance and he asked Deputy Fire Marshal Daywalt to comment on the sprinkler program and how it relates to volunteerism and the response of the fire departments.

Mr. Bill Daywalt, Deputy Fire Marshal, stated Upper Merion Township adopted a sprinkler ordinance in the 1980's. He pointed out how it has enhanced life saving capabilities, property conservation in dwellings and buildings and safer conditions for firefighters entering some of these buildings.

Mr. Bartlett asked about the repeal of Pennsylvania sprinkler law. Mr. Daywalt responded the local sprinkler requirement was incorporated into the 2009 residential building code. Since Upper Merion Township adopted an ordinance prior to the state law the township is exempt [from the repeal] and every building that is built brand new is exempt.

Mr. Waks commented one way for residents to support the volunteer fire companies is to buy tickets for their annual dinners.

Ms. Forster extended an invitation to the Board of Supervisors and residents to attend the open house hosted by Lafayette Ambulance during EMS Week.

Mr. Jenaway commented residents should check the UMGA-TV schedule and advertisements for these public events.

PARK AND RECREATION BOARD

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett. Also present were: Ron Wagenmann, Township Manager; Judith A. Vicchio, Assistant Township Manager; Sudha Suryadevara, Recreation Superintendent; John M. Tallman, Jr., Chairperson; Mary Ann Ahearn, Secretary; Michael Trachtenberg; Barbara J. Schafer; Neil Sardinas. Supervisors Ed McBride and Erika Spott were absent.

DISCUSSIONS:

Mr. John T. Tallman, Jr., Chairperson, outlined some issues the Park and Recreation Board wanted to bring before the Board of Supervisors for consideration and comment. He indicated the school district has suggested imposing fees on the Park and Recreation Department for their use of the schools in excess of the fees currently paid for janitors overtime, etc.

Mr. Ron Wagenmann, Township Manager, provided some background and stated the school district is discussing not only charging a fee but also sharing a percentage of the revenues the Park and Recreation Department receives for the programs held at the schools. No follow up conversations have been held and nothing has been finalized.

Mr. Jenaway commented that although there are not a lot of details at this point the Board of Supervisors are all concerned about the approach that is taken.

Mr. Tallman asked about a \$1.5 million grant for recreation facilities made by the township to the school district when they were constructing the middle school. Mr. Wagenmann responded it was for the rehabilitation of the swimming pool and gymnasium. He explained in order to get those grants the facilities were sold to the township and then leased back to the school since school funds were not allowed to be used to construct and renovate those facilities. Mr. Wagenmann emphasized a "friendly" reminder will be issued about the terms of the agreements wherein the school district would have full use of the facilities for the school day and during off school hours the township would have use of those facilities.

Mr. Waks commented that it is fair to say the amount of funds the township waives from the school district is far more than they waive to the township.

Mr. Bartlett stated he sat in the audience at a "Meet the Candidates" forum hosted by the school district for school board candidates. He was concerned to hear a discussion about reducing payments to the township although specific details were not mentioned.

Mr. Tallman stated the second question related to the community center study and he asked for an update. Mr. Wagenmann said the consultant is taking a look at some private facilities and numbers in accordance with directions they received from the Board of Supervisors. The consultant was authorized to proceed with that work; and to date, there has been no definite information provided.

Mr. Tallman said he was under the impression that it would be done

relatively soon. Mr. Jenaway commented that the delay might be due to the consideration of existing structures that might be converted into a useable facility at much less cost.

Mr. Tallman asked about a contractor putting dirt at the other side of Heuser Park. Mr. Wagenmann explained there is an agreement that allows the contractor to bring in certain materials from the Sumner Dam project they can then recycle and take back out. It will be dried out and then it will be determined if it can be mixed with some organic materials for a topsoil that could be used to create a turf area for a practice field on the old compost area at Heuser.

A question was asked if this top soil would be for the existing practice fields or more fields. Mr. Wagenmann said this would be additional turf area for practice to provide relief on the current lighted fields. Usage on the three practice fields would be rotated.

In response to a question from the group, Mr. Wagenmann provided a short synopsis of what is proposed for the various trail projects, the current status and follow up is needed to keep the plans on track.

Mr. Jenaway commented on the expanded recreation opportunities that will be made possible with the reopening of the outdoor pool this summer.

ECONOMIC & COMMUNITY DEVELOPMENT COMMITTEE

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Joseph Bartlett. Also present were: Ron Wagenmann, Township Manager, Judith A. Vicchio, Assistant Township Manager; Scott Greenly, Associate Planner; Lydia Dan-Sardinas, Chairman; Scott Sibley, Vice Chairman; Michelle Gallagher; Russell Swisher; Thomas Kohler; Joseph Budash; Carole Kenney. Supervisor Ed McBride and Supervisor Erika Spott were absent.

DISCUSSIONS:

Ms. Lydia Dan-Sardinas, Chairperson, presented a recap of 2010 achievements as well as current projects awaiting information or action from outside parties.

With regard to the new township website, Tom Kohler discussed ECDC's involvement and cooperation with the Media Communications Advisory Board in the upgrading of the township website.

The upgrade will provide better functionality as a resource for residents and businesses and will better market Upper Merion Township to outsiders. With input from ECDC, the township E-Government Committee chose the vendor to

redesign the website that went live in July 2010. Ongoing improvements will continue to further enhance the township's position as a highly attractive place to do business and call home.

Mr. Scott Sibley discussed the historic Moore-Irwin property that has been a subject of study in this community for quite awhile and was undertaken as a project by the ECDC. Investigations of possible reuse were initiated and none proved viable. Ultimately it was decided that only early sections of the historic house should be preserved and restored and some of the more recent sections should be demolished. Subsequent to that decision, a local theater company, the King of Prussia Players, expressed interest in helping with the building preservation and building on the property. The ECDC is continuing its coordination with the King of Prussia Players to complete the Memorandum of Understanding and move forward.

Mr. Sibley provided an update of the Business Improvement District (BID) and the ECDC's work in helping to bring this major project to completion in 2010. The ECDC's mission now overlaps with the mission of the Business Improvement District, and the ECDC is now coordinating with the BID on such initiatives as new gateways at the entrances to the township, promoting the patronization of our local businesses, working with SEPTA to improve public transit, and organizing a local restaurant week.

During the formation of the BID some of the businesses expressed concerns about the business taxes in Upper Merion compared to competing locations and their impact on our competitiveness. The BID is planning for a study to look at the tax structure compared to other locations and the ECDC will work closely with the BID to make sure the study is thorough, balanced, and a useful resource to the Board of Supervisors.

Ms. Gallagher provided an update of the Tricentennial Committee that started as a subcommittee with the ECDC two years ago and is now its own committee because of the amount of work involved for the 2013 celebration. Some of the planned activities so far include a parade, black tie dinner for President's Day weekend, a history book, calendar and cookbook. The Tricentennial Committee, with a core group of 20 people, is meeting on the third Wednesday of every month and interested residents are encouraged to volunteer. Discussions have been held with members of the Business Improvement District to encourage the involvement of the business community in the Tricentennial.

Ms. Lydia Dan-Sardinas provided an update on the community/cultural center subcommittee which is a joint venture with Park and Recreation and ECDC. When the joint committee progressed as far as it could, they asked the Board of Supervisors to approve a formal feasibility study that would utilize the information that the committee had already obtained. Ballard King and

Associates was selected to provide the feasibility study, and its findings were presented to the Board of Supervisors. Recently the Board of Supervisors approved \$8,000 to be paid to Ballard King for financial models and a review of two additional site locations. This was the first time money was used from township funds for this project as all other monies were from grants through the state. The final report from Ballard King will include how to possibly fund the site. Some of the items previously suggested as amenities include: indoor gym, walking tracks, exercise rooms, child care center and large group community rooms.

Mr. Joseph Budash discussed potential projects ECDC plans to pursue in 2011. He indicated that ECDC is monitoring the proposed tolling of Route 422 and is in the information gathering state. The proposed committee would develop a strategy to make the Upper Merion Township residents aware of the proposed project, investigate how it will impact the township, and the best way to communicate that information to the residents.

Ms. Carole Kenney discussed plans for an alternate energy awareness subcommittee. Energy experts have been unanimous in saying the number one way to reduce energy costs is conservation. The township is already on this path by moving to LED lights, replacing the doors on the township building and going to a four-day week. The township is also taking steps to use alternative energy sources such as the solar panels for sewer treatment plants, township building and garages. The ECDC would like to assist the township continue down this path of cost savings by investigating additional alternative energy options. The ECDC would like to establish Upper Merion Township as a leader in energy efficiency and new alternative energy technologies and attract new energy related businesses to the township. The ECDC can help businesses and residents navigate new types of alternative energy such as solar, geothermal and wind by sponsoring programs or presentations several times a year possibly in conjunction with the EAC. At these presentations residents and businesses who already use such technologies in the township could be used as a resource for ECDC.

Mr. Russell Swisher stated the last potential subcommittee deals with a communication with stakeholders within the business, government and community. For this project, the ECDC would like to work within the township's existing public relations initiatives to help promote the township as a great place to work and reside. By working with the township's Public Information Officer, the ECDC could assist in building up the quarterly Township Lines and monthly Community Connections newsletters to help outline the benefits residents and business owners receive in Upper Merion Township. By forming community and regional partnerships to deal with critical issues and emerging opportunities ECDC could assist in identifying and implementing ways to communicate that Upper Merion Township is an ideal place for a business. In addition to the newsletters, ECDC proposes to create either a website or a link to the township

website that promotes and markets Upper Merion as a great place to live and work. This could include a list of companies and businesses in Upper Merion to make it easier for residents and businesses to buy local. While this is potentially a BID project, the website could be promoted through the township newsletters and UMGA-TV.

Ms. Dan-Sardinas stated 2010 has been a successful year for the ECDC with many projects now completed or pending in other hands. ECDC will continue to monitor the development of specific subcommittees and offer support and active liaison to the township.

Mr. Jenaway stated Scott Greenly, ECDC liaison, has started the development of an alternative energy ordinance that would be part of the comprehensive codes and will keep the ECDC informed on the results of his review.

Mr. Waks stated he would reach out to the Chair of the Planning Commission since ECDC's input would be helpful.

Once the subcommittee for alternative energy has been designated, Mr. Wagenmann asked they get back to him as quickly as possible.

Mr. Jenaway commented Upper Merion Township recently hosted the Montgomery County Association of Township Officials meeting during which the video developed through UMGA-TV featuring all aspects of Upper Merion Township was shown and well received. He emphasized that this would be a good piece to publicize as much as possible during 2013 activities.

Mr. Waks commented the list of potential ECDC subcommittees is aggressive, impressive and he expressed support for all three of their recommendations.

Mr. Jenaway commented he is co-chair of the Route 422 incident management program and if he can provide any information or insight to let him know. He said there are many concerns not only about the tolling issue but also the different ramifications of the traffic challenges of Route 422.

Mr. Wagenmann commented if ECDC has a subcommittee he can communicate with on such matters to let him know. .

Mr. Wagenmann stated there is another study ECDC should be aware of and about to get underway which is the extension of the Route 100 not only to the mall but over to First Avenue and possibly the slots parlor at the convention center.

Mr. Jenaway noted there are a number of opportunities for citizens to play

a role in supporting the Board of Supervisors in their actions to help make Upper Merion Township the best place to live work, worship and recreate. He encouraged interested residents to consider applying for vacancies on one of the boards and commissions and if a vacancy does not exist on a particular board or commission the application can be retained on file for future reference.

ADJOURNMENT:

There being no further business to come before the Board, the Joint Meeting was adjourned at 9:30 p.m.

RONALD G. WAGENMANN
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: