

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
NOVEMBER 13, 2014

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, November 13, 2014, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:34 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: David Kraynik, Township Manager; Joe McGrory, Township Solicitor; Rob Loeper, Township Planner; Jim Majewski, Township Engineer. Supervisor Spott was absent.

MEETING MINUTES:

It was moved by Mr. Jenaway, seconded by Mr. Philips, all voting "Aye" to approve the October 9, 2014 Zoning Workshop Meeting Minutes, October 9, 2014 Regular Workshop Meeting Minutes; and the October 16, 2014 Business Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRPERSON'S COMMENTS:

Chairperson Waks stated an Executive Session was not held prior to this meeting. He noted a Zoning Workshop Meeting (public meeting) was held prior to this meeting with several members of the public in attendance.

NEW BUSINESS

PRESENTATION OF THE MARY BACCHI EMERGENCY MEDICAL SERVICES RESPONDER OF THE YEAR AWARD TO CHRISTOPER MCLEOD

Chief Fire Marshal John Waters stated this year marks the second awarding of the Mary Bacchi Emergency Medical Services Responder of the Year Award named after Mary Bacchi who was a longtime member of Lafayette Ambulance. Chief Waters asked Darryl Bacchi and his sister Cheryl to participate in presenting this award. The Emergency Medical Services Responder of the Year Award was presented to Christopher McLeod.

On behalf of the Board of Supervisors and all the residents of Upper Merion Township, Chairperson Waks expressed his congratulations and best wishes to Mr. McLeod for his outstanding emergency medical service.

PRESENTATION OF GRANTS TO TOWNSHIP SPORT/VOLUNTEER ORGANIZATIONS

Mr. Dan Russell, Director, Parks & Recreation, presented the various sports organizations with grants approved for 2014. He provided a brief history of the grant process which involves the application and data collection from the various sports organizations and the Park and Recreation Board recommendation to the Board of Supervisors. Each organization was called to the podium and thanked the Board of Supervisors for their support. Mr. Russell emphasized how much all the organizations rely on volunteerism. On behalf of the Park and Recreation Department and the Park and Recreation Board, he expressed appreciation for their support in the community. The following were presented with 2014 grants:

King of Prussia Football Association  
King of Prussia Soccer Club  
Upper Merion Aquatic Club

Upper Merion Baseball Association  
Upper Merion Crew Boosters  
Upper Merion Lacrosse Club  
Upper Merion Spring  
Valley Forge Generals  
Upper Merion Youth Wrestling

As a well-known soccer fan, Mr. Philips reported on the successful 2014 Fall Season of the King of Prussia Soccer Club with the U13 Boys team winning their championship and the U14 Boys reaching the finals. While the U14 Boys who have been playing together for four years did not make it all the way through this time, they have won two previous championships. Mr. Philips expressed appreciation to all the volunteers who give of their time to support their respective teams, sports clubs and organizations.

CONSENT AGENDA:

1. Budget Transfers re:
  - a. Matsunk Sewer Plant – Amount of Plymer needed to condition the sludge for proper dewatering exceeded anticipated amount - \$20,000
  - b. Public Works – Additional fuel/oil funds needed to offset the shortage created by the extreme vehicle use during the 2014 winter season - \$9,000.00
  - c. Trout run Sewer Plant – Plant needs to dewater more sludge than anticipated – 9,000.00
2. Award Engineering Contract re: Daniel T. Kellett Skate Park to T&M Associates - \$7,810.00
3. Appointment to ECDC – Evelyn Ankers
4. Resolution 2014-54 re: Reducing Police Officers' Contributions to the Police Pension Plan for the Year 2015
5. Equipment Replacement Request re: Replace Mobile Data Computers for Police Department Vehicles - \$40,425.00
6. Approve Administrative Changes to the Board of Community Assistance Policy

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the Consent Agenda as submitted. None opposed. Motion approved 4-0.

SIMON PROPERTIES: KING OF PRUSSIA MALL CONNECTION; REVIEW OF CHANGES TO PARKING GARAGE AND CIRCULATION, RESOLUTION 2014-55

Mr. Rob Loeper, Township Planner, stated this is a request to amend the plan for the Mall Connection project which is currently under construction. This project will connect the Plaza and the Court with a structure that will span over Mall Boulevard making it possible to move from one side of the Mall to the other without going outside. Utilizing the aerial, Mr. Loeper pointed out the location of the Mall expansion, from behind Neiman Marcus at the Plaza to Macy's and ultimately to Bloomingdale's at the Court. As part of this project it was initially conceived that a portion of the parking deck known as the Neiman Marcus parking deck would be demolished and then an addition made to the existing deck. After getting into final engineering design Simon Properties made the

determination it would be much better to remove the entire deck and build a new deck. With a new deck it changes the travel pattern slightly around the back of the Mall, specifically the entrance from Wills Boulevard. With the new connection upon entering the Mall site a decision will be made to either continue around the back of the deck to the surface parking lots and up to the J.C. Penny store or proceed on a ramp going to the upper levels of the deck. It will no longer be necessary to go through the deck and circulate within the deck. Another difference about this deck is there will be a series of ramps so that the deck floors will actually be flat. There will be a people mover system on the one side of the deck which will include elevators and escalators allowing people to get from all levels of the deck to the mid level and into the Mall area. Upon leaving patrons will again use the ramp system which will allow them to come out and circulate either around the Mall or exit directly onto Mall Boulevard. The other aspect on the ground level will be a new valet parking area with an area for drop off and pick up. A rendering was provided by the applicant showing the elevations of the deck.

Mr. Jenaway wanted the viewing audience to be aware that the Board of Supervisors has been asking for renderings and drawings when development presentations are made to provide a reasonable idea of what the property will look like once developed. He expressed appreciation to the applicant for providing the rendering which is an excellent example of what is expected in the future. Mr. Jenaway also noted the Upper Merion Planning Commission reviewed and approved the changes to the parking garage.

Mr. Waks pointed out the Board of Supervisors reviewed the revised plan at a public workshop meeting as well.

Mrs. Kenney commented access to the upper levels of the parking garage is an improvement over the current way of navigating to the second and third stories of a parking garage. She also emphasized it is important to have clear directional signage.

Mr. Loeper stated the applicant has committed and is working with staff as well as the Traffic Engineer and will have a complete way-finding package for the entire Mall property. This parking deck will have a similar feature to what is found in many airports in providing information as to the availability of spaces or unavailability of spaces on a particular level of a deck.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Philips, all voting "Aye" to approve Resolution 2014-55 as submitted. None opposed. Motion approved 4-0.

1069 MT. PLEASANT ROAD, LOT LINE REVISION; 0.67 ACRES, R-1A, RESOLUTION 2014-56

Mr. Loeper stated the applicant is proposing a lot line change for two properties on Mt. Pleasant Road in which the property owners have agreed to transfer property from one owner to another. The proposed lot change will result in 4,000 square feet of property being purchased by the owners of 1069 Mt. Pleasant from the owners of 1059 Mt. Pleasant to make it a wider and more useable property. The property line shift will enable the property owner to build a new house [the old house will be demolished]. As a lot line subdivision it does not create any new lots; however, both lots are non-conforming with regard to certain aspects of the zoning code. Relief was obtained from the Zoning Hearing Board for the continued non-conformities that will exist on the site. The applicants were present at the last workshop meeting and shared their plans with the Board of Supervisors.

Mr. Philips asked for clarification if both lots existing today are non-conforming and nothing becomes more non-conforming necessarily. Mr. Loeper responded in the affirmative.

Mr. Jenaway noted this lot line revision was reviewed by the Upper Merion Planning Commission with no issues.

Mrs. Kenney commented she was at the workshop during which the applicants appeared and said how good it was to see neighbors cooperating with each other for the betterment of the neighborhood.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2014-56 as submitted. None opposed. Motion approved 4-0.

POSTING OF PROPOSED 2015 BUDGETS

Mr. David G. Kraynik, Township Manager, presented the 2015 Operating, Capital and Sewer Revenue budgets for Upper Merion Township. He pointed out these budgets represent the culmination of a process that started in June, and involved hours of hard work by the Board of Supervisors, department heads and township staff. Mr. Kraynik noted last year for the first time in this particular process some principles of zero based budgeting were incorporated and that effort continued more in earnest this year in preparing the 2015 budget. During the week of September 29, budget meetings were held with the Township Manager, Director of Finance and all the department heads during which there was a line by line detailed review of each budget. In late October through early November, there were four public budget workshops where the Board of Supervisors met with each department head who presented their respective budgets.

Highlights are as follows:

- The 2015 Operating Budget is balanced and there will be no property tax increase. The budget reflects a total overall increase of 6.74% over 2014.
- The General Fund component is a 6.7% increase.
- The Library Fund component is a 3.6% increase.
- The Liquid Fuel component is a 20% increase due to the increase in the gas tax funding.
- The Operating Budget did not require any diversion of real estate tax that as late as 2012 was used to fund the capital. As a result the capital budget will see the dedicated funding continued for 2015 of approximately \$670,000.
- The depreciation charge for equipment replacement funding continues for the third consecutive year and is budgeted at \$730,691 and allows much needed replacement of aging equipment.
- The general fund reserve transfer, if needed, is budgeted at \$1,816,131 and is down by \$103,029 for this year and reflects less of a dependency on our fund balance
- Gaming revenue from the casino operation located at the Valley Forge Convention Center continues to grow. In 2015, \$2,100,000 is projected which is up by 31% or \$500,000 from this year. Over 2.8 million in grants have been secured this year alone for various township improvements and projects and most of the work from those grants will be accomplished in 2015.
- 5% funding increase for the three volunteer fire companies: King of Prussia, Swedeland and Swedesburg.
- 5% increase for the Upper Merion Senior Center

- Opening of new Community Center on West Valley Forge Road which will house the Senior Center as well in mid-2015. Construction for that project is well underway. In mid-2015 the opening of the Multi-Use Trail from Heuser Park to Valley Forge National Historical Park.
- 2015 Operating Expenses total \$31,384,442. The three largest categories of expenditures are Police with a little over 44.47%, Public Works at 13.68%, and Administration at 9.75%.
- 2015 Operating Revenues which represents a balanced budget. The three highest categories for the revenues are:
  - Act 511 taxes which represents 46.77% of the operating revenue
  - Permits and fees representing 14.94%
  - Grants in aid at \$10.87%
- The real estate tax dollar is made up of three components: Township, School District and County. The township's share of that tax dollar is a little over 9% and is the result of township millage. The School District has a little over 77% and the County a little over 13%. The average residential assessment is \$150,000. If you apply all three millage rates you come to a total tax bill of a little over \$3,500 and when you net the Homestead Exclusion the final tax bill for the average assessed house is \$3,395
- The average assessed commercial property is assessed at a little over \$3 million the total tax bill is \$75,746 with the breakdown between the township, the school district and the county.
- The 2015 Capital budget is projected to be just under \$20 million and \$17.6 million of that is covered in general government which includes administration, information technology, parks and recreation, library, police, fire and rescue services, safety and codes, public works at \$1.6 million, and the sewer program at a little under \$500,000.
- There are a number of major capital projects in 2015 as follows:
  - Document archiving by the Information Technology Department at \$35,000
  - Public Works Planning Division : a new Comprehensive Plan at \$50,000
  - Public Works: a comprehensive management study for this entire township of \$175,000
  - Stormwater improvements in the Tannery Drive area at \$550,000
  - Continued replacement of some of the aging infrastructure with new sewer lines at \$350,000
  - New safety surfaces at all playgrounds for \$150,000
  - Community Center/Senior Center for a little over \$14 million
  - New trail at a little under \$2 million
  - Structural repairs and LED lighting upgrades in the Township Building for \$130,000
- The 2015 Sewer Operating Budget, totaling \$6,901,725, funds the 125 miles of sewer lines throughout this community. It was noted that 6 million gallons of sewage is treated daily at the two treatment plants; 12 pumping stations serve over 10,700 acres of the watershed.
- The Sewer Operating Budget includes the sewer rental rate which is being raised in 2015 at a rate of \$2 per quarter from \$67 to \$69 to help establish a capital project fund for the much needed capital maintenance at our sewer plant facilities and throughout our collection system. Next year will be year five of a five year phase-in of this rate increase. Also next year is year five of a five-year phase and there will be a rate increase and a gradual phasing out of a garbage grinder rate of \$65 a quarter and establishing an all residential rate of \$69 per quarter.
- 2015 Liquid Fuels Fund – total revenue anticipated to be \$631,102 which reflects an increase of over \$125,000 from this year. These are the dollars from the Commonwealth of Pennsylvania's gas tax that is used for the maintenance and reconstruction of township roads.

Mr. Kraynik expressed appreciation to the Board of Supervisors and department heads for their hard work on the development of these budgets. He recognized Finance Director Nick Hiriak for his help and guidance throughout the budget process.

Mr. Kraynik submitted and officially posted the proposed 2015 Operating, Sewer and Capital Budgets for Upper Merion Township and recommended their adoption. He noted that a public hearing and adoption of the budget is scheduled for Thursday, December 4 at 7:30 p.m. in Freedom Hall.

Mr. Waks reiterated there is no real estate tax increase for the fifth consecutive year. He noted the budgets are a study in priorities, especially the capital budget which is a significant investment by this Board of Supervisors in township infrastructure. This might be for some infrastructure that is significantly outdated or new infrastructure such as trails or the community center and represents the vision set forth by the Board of Supervisors for the betterment of Upper Merion Township.

For the benefit of the viewing audience, Mr. Philips clarified the reference to depreciation in the budget posting. He explained it is not like an IRS definition of depreciation, but rather actually setting money aside to purchase new equipment which is done on a depreciation schedule so that when equipment wears out and needs replacement the money is available for that purpose.

On behalf of the Board of Supervisors, Mr. Waks expressed appreciation for all the staff work that was done in preparation of the budget and identifying efficiencies in the budget to keep costs in line. The vote on the 2015 budget is on the agenda for the December 4<sup>th</sup> business meeting.

#### ACCOUNTS PAYABLE & PAYROLL:

##### Board Action:

It was moved by Mrs. Kenney, seconded by Mr. Philips, all voting "Aye" to approve the Accounts Payable for invoices processed from October 8, 2014 to November 13, 2014 in the amount of \$1,213,937.53 and the Payroll for October 10, 2014 and October 24, 2014, in the amount of \$1,305,853.09 for a total of \$2,519,790.62. None opposed. Motion passed 4-0.

#### ADDITIONAL BUSINESS

##### VETERANS DAY

As a veteran and reservist in the U.S. Navy, Mr. Philips reminded citizens to remember to thank a veteran not only on Veterans Day but whenever an opportunity presents itself. He reminded everyone the freedoms we enjoy in our nation are due to their service, sacrifice and commitment.

##### PARK AND RECREATION ITEMS OF INTEREST

Mr. Jenaway noted a resident survey will be distributed in the next issue of *Township Lines* on or about December 21<sup>st</sup>. There will also be several public presentations in early 2015 with regard to the master plan being developed for Park and Recreation in Upper Merion Township. Mr. Jenaway encouraged interested citizens to attend the next scheduled meeting to discuss the Park and Recreation Master Plan.

## HOLIDAY HOOPLA

Mr. Jenaway reminded everyone about the various activities associated with the Holiday Hoopla scheduled for Friday, December 5<sup>th</sup>.

## NORRISTOWN HIGH SPEED LINE EXTENSION PUBLIC MEETINGS

Mrs. Kenney provided details on the two public meetings to be held regarding the Norristown High Speed Line Extension on November 17<sup>th</sup> and November 19<sup>th</sup>.

## DANIEL T. KELLETT SKATEBOARD PARK GROUNDBREAKING

Mrs. Kenney provided details on the Daniel T. Kellett Skateboard Park Groundbreaking on Sunday, November 30<sup>th</sup> at 2 p.m.

## “THANK YOU” TO CALIFORNIA PIZZA KITCHEN

Mrs. Kenney expressed appreciation to the California Pizza Kitchen for hosting a fundraiser to benefit the Upper Merion Township Library. She expressed thanks as well to everyone who supported this event with their patronage which included the supervisors who enjoyed pizza during their workshop session prior to this meeting.

## FARMERS MARKET

Mrs. Kenney reminded everyone there are two remaining Saturdays for the regular Farmers Market.

## UPCOMING MEETINGS AND ANNOUNCEMENTS

Mr. Waks announced a number of upcoming Township meetings and events.

## CITIZEN BOARD VACANCIES

Mr. Waks indicated there are one or two Citizen Board vacancies. He encouraged anyone interested in serving on a Citizen Board to submit an application which is available on the township website. If there are any questions, call or stop by the Township Building for more information.

## #THANKAVET

Mr. Waks stated the township joined the History channel by tweeting #thankavet to honor those who have served or are still serving in the Armed Forces. The History Channel is donating \$1 for each tweet using #thankavet to three non-profit organizations which benefit veterans.

## TREE PLANTING

Mr. Waks noted a volunteer tree planting will be held at Whitegate Park on Sunday, November 15<sup>th</sup> and asked anyone interested in volunteering to show up and help out.

## NON-PERISHABLE FOOD DRIVE

Mr. Waks said there will be a non-perishable food drive hosted by the Valley Forge Patriot Girls Softball Team on Saturday, November 22<sup>nd</sup> from 8 am to 4 pm at Heuser Park. All goods will be donated to the Philabundance Food Bank.

## BOARD OF COMMUNITY ASSISTANCE

Mr. Waks reminded residents that the 2015 Board of Community Assistance (BCA) application period begins on Saturday and runs through March 15, 2015. Last year 31 organizations received over \$115,000 in funds from the BCA and 28 graduating high school seniors furthering their education received over \$39,000 in scholarships. Additional details about the application process are on the township website or by calling or stopping by the Township Building.

## WINTER FARMERS MARKET

Mrs. Kenney noted the Winter Farmers Market begins December 6<sup>th</sup> from 10 a.m. to noon and will be held every other week thereafter until the regular season starts in May.

## ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 4-0. Adjournment occurred at 8:32 p.m.

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DAVID G. KRAYNIK  
SECRETARY-TREASURER  
TOWNSHIP MANAGER

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Minutes Approved:  
Minutes Entered