

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
OCTOBER 6, 2011

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, October 6, 2011, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:48 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Joseph Bartlett, Edward McBride, and Bill Jenaway. Also present were: Ron Wagenmann, Township Manager; Joseph Pizonka, Township Solicitor, Rob Loeper, Township Planner; Russ Benner, Township Engineer, and Angela Caramenico, Assistant to Township Manager. Supervisor Erika Spott was absent.

MEETING MINUTES:

It was moved by Mr. Waks, seconded by Mr. Bartlett, all voting "Aye" to approve the September 8, 2011 and September 15, 2011 Business Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRMAN'S COMMENTS:

Chairman McBride reported on an executive session dealing with legal matters and possible land acquisition.

NEW BUSINESS

PRESENTATION OF GUTKOWSKI AWARD TO RYAN GALLAGHER

Deputy Fire Marshal William C. Daywalt, Jr. announced *The Firefighter of the Year* as Ryan Gallagher, and presented the Gutkowski award in recognition of his service to the citizens of Upper Merion Township which have helped make our community a safe place to live, work and leisure.

PRESENTATION RE: FIRE & RESCUE APPRECIATION AWARDS

Pam Forster, Chairperson of the Fire and Rescue Services Board announced and presented the Fire and Rescue Appreciation Awards as follows:

5 Years

Michelle Barainyak	Swedeland
E.J. Bicketti	Swedeland
Stacy Gensert	Swedeland
Elliott Grace	King of Prussia
Mike Hopson	Swedeland
Royce Keehn	Swedeland
Michael Milke, Jr.	Swedeland
Michael Orman	Swedeland
Sean Ralph	King of Prussia
Charles Rogasch	King of Prussia

10 Years

Christopher Gallagher	Swedesburg
Kimberly Gutkowski	Swedesburg
John Hoffman	Swedesburg
Joseph Horrocks	Swedesburg
Jeffrey Houseal	Swedesburg
Doreen O'Donnell	Swedeland
Miquel Sepulveda	Swedeland
Mark Thomas	King of Prussia

15 Years

Dwight Devera	Lafayette
Stephen Tarloski	Swedesburg

30 Years

George Barainyak	Swedeland
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35 Years

Benjamin Popelik	Swedesburg
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45 Years

Romuald Salkowski	Swedesburg
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Board Comment:

Since his son is a very active member of the King of Prussia Fire Company, Mr. Bartlett commented that he is very much aware of the sacrifices and services the fire and emergency service provide that go well beyond fighting fires. He noted that these volunteers need to maintain equipment, participate in ongoing training and put in countless hours responding to a variety of emergency situations.

PRESENTATION OF PENNSYLVANIA STATE FIREMAN'S ASSOCIATION AWARD TO RONALD WAGENMANN

Chris Camarda, Chief, Swedeland Volunteer Fire Company, reported on the recognition achieved by Upper Merion Township's four emergency service organizations at the 132nd annual Pennsylvania Firemen's Convention and Parade. He noted that the King of Prussia Volunteer Fire Co., Swedeland Fire Company No. 1, Swedesburg Fire Co. No. 1 and Lafayette Ambulance marched together for the first time as one unit and received a first place trophy for the Best Appearing Department in Uniform with over 35 Members. Other awards included scholarships for three firefighters and some individual fire company trophies for different types of apparatus.

Mr. Jenaway offered his congratulations and emphasized that the award is a significant tribute to the four organizations and represents their unity and the positive results of team work in achieving an ultimate goal.

Mr. Ron Wagenmann, Township Manager, offered his congratulatory comments and accepted the award with township pride. He pointed out that since the Upper Merion community is served by these volunteer organizations a savings of at least \$8 million annually is realized.

Mr. Jenaway recognized King of Prussia firefighter Darryl Bacchi on receiving the 2011 National Liberty Museum Award of Valor for his continued support to the Fire Department of New York following the events of 9/11. As part

of the September 11 remembrances and memorials Darryl Bacchi received an “Award of Valor” at the National Liberty Museum in Philadelphia along with other firefighters, police and corrections officers.

PRESENTATION OF 2011 SHADE TREE AWARDS

Ms. Barbara Van Clief, Chairman, Shade Tree and Beautification Commission presented awards to the following residents:

Residential Winners:

Joan & Michael Banas	707 Springdell Road
Richard & Robin Clark	429 Walnut Street
Walt & Pat Gutkowski	255 W. Valley Forge Road
Steven & Susan Kaplan	1231 Gulph Creek Road
James & Judith Scancella	705 Springdell Road
Jan & Alicja Stepien	478 Hansen Road

Backyard Winners:

Charles Gaherty & Paul Radel	330 Upper Gulph Road
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Commercial Winner:

Richard Frey	Upper Merion Swim & Tennis Club
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Distinguished Tree Award

Terrence McDuffey	934 Longview Road
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ACCEPTANCE OF RESIGNATION OF JOSEPH BUDASH FROM ECDC

On behalf of the Board of Supervisors, Mr. McBride accepted, with regret, the resignation of Joseph Budash from ECDC and expressed appreciation for his tenure of service on this committee.

T&M PROPOSAL RE: NPDES PHASE II PERMITTING - \$4,500.00

Mr. Wagenmann stated under federal regulations the township is required to renew or update its Municipal Separate Stormwater Sewer System (MS4) in order to comply with permitting requirements for stormwater discharges. Professional engineering services are necessary to proceed and T&M Associates will provide assistance over the next year to complete the project at a cost of \$4,500.

Board Action:

It was moved by Mr. Jenaway, seconded by Mr. Bartlett, all voting “Aye” to approve the T&M proposal as submitted. None opposed. Motion approved 4-0.

REQUEST TO AWARD PROFESSIONAL SERVICES AGREEMENT TO PENNONI ASSOCIATES, INC. – PROFESSIONAL SERVICES AGREEMENT (PSA) - \$5,250.00

Mr. Wagenmann stated that Mr. Ed O’Brien, recently appointed Public Works Director, will be going through the process of evaluating the roadways in the township for the first time and determining which ones need resurfacing. Due to financial constraints over the past several years, minimal resurfacing has been done. For this reason it is more critical this year to obtain an objective evaluation of the roadways and then prioritize those that need resurfacing next year. As a result of working with the engineer on this project it will provide Mr. O’Brien with valuable experience for future years.

Board Action:

It was moved by Mr. Bartlett, seconded by Mr. Jenaway, all voting "Aye" to approve the award request as submitted. None opposed. Motion approved 4-0.

PLAN AMENDMENTS/MINOR PLAN RE: GLAXOSMITHKLINE, BUILDING 38;
DP 2011-06; 709 SWEDELAND ROAD; MECHANICAL AND UTILITY
UPGRADES; LI/HI LIMITED/HEAVY INDUSTRIAL, 253 ACRES

Mr. Rob Loeper, Township Planner, stated GlaxoSmithKline submitted a four-part plan for upgrades to Building 38 at the Swedeland Road campus. Utilizing the aerial, Mr. Loeper pointed out the location of Building 38 along Swedeland Road between the river and Renaissance Boulevard. The four-part plan includes: a purification expansion, high purity water system upgrade, microbial methanol enabling and emergency generator upgrades.

Utilizing the aerial, Mr. Loeper highlighted the area of the EGEN project that includes the installation of a new generator and the removal of two existing generators. The methanol project includes a ground mounted 750 gallon storage tank on a concrete pad and the water project includes a 4,000 gallon brine tank to support the new water room. The purification project includes a new air cooled chiller to be installed where the existing generators are located. The purification addition will house air purification equipment. The façade will match the existing façade of the building and will be placed in an existing courtyard that will be enclosed as a mechanical space. Existing equipment in the basement will be demolished. A new roof mounted screen wall will enclose the new HVAC equipment.

Staff has reviewed the plans, found them to comply with township codes, and will provide formal approval pending comment from the Board of Supervisors. The applicant will be required to obtain necessary building permits prior to construction.

Without further comment from the Board of Supervisors, the minor plan is able to proceed.

PHASE I DEVELOPMENT PLAN: GOODMAN PROPERTIES, 145 W. DEKALB
PIKE, DP 2011-07, WAWA FOOD MARKET (6,018 SF WITH GASOLINE
SALES, ALONG WITH A CHICK-FIL-A (4,864 SF, 142 SEAT) RESTAURANT
WITH DRIVE THROUGH FACILITY. C-1 COMMERCIAL, 4,137 ACRES

Mr. Loeper stated the Goodman Properties plan is currently undergoing review by the Township Engineer, the Montgomery County Planning Commission and has been scheduled with the Upper Merion Planning Commission. The applicant owns two properties on DeKalb Pike and this site is just to the west or south of Henderson Road. One property is the Sports Authority building which was rehabilitated several years ago. The other site is the one currently under review which most recently was a Petco store and previous to that a restaurant. The plan calls for the demolition of that building to make improvements. When previous renovations took place Goodman Properties made several commitments to the township. They indicated they would like to renovate the restaurant site. At that time they had agreed to make connections between the two properties. Utilizing the aerial, Mr. Loeper pointed out the connection that was made. He indicated that the applicant also committed that once this property came in the center driveway would be eliminated. Utilizing the aerial, Mr. Loeper pointed out various aspects of the site including the existing southern most driveway closest to the cemetery, the full service driveway with inbound and outbound lanes, the proposed location of the Wawa store in the center of the site with the gasoline service area in front. There is excess parking distributed throughout the site with most of the parking in the rear. Mr. Loeper noted that the

township recently amended the parking code for convenience stores. Since continual ingress and egress into these types of facilities can be somewhat difficult, one of the requirements is that spaces against the building are required to be wider. The proposed Chick-Fil-A restaurant is a 4,800 square foot restaurant with 142 seats and a drive-thru lane not accessible directly from the road. Since drive-thru lanes can become congested at times this is one of the areas that will be reviewed. Another aspect of review will be coordination with a development plan for the proposed Target store across the street.

The applicant has received some zoning relief related to signage; not site issues. The existing building is 21,000 square feet. Upon completion the building square footage will be 10,800 square feet thereby reducing the building square footage by half. The building coverage will go from current 12% to 6% and the impervious will be reduced from 76% to 73%. The allowable impervious coverage is 85%.

Board Comment:

Mr. McBride asked for clarification on the building footprints. Mr. Loeper responded that the Wawa is 6,000 square foot and the Chick-Fil-A is 4,800 square feet.

Mr. McBride stated that Petco is 20,000 square feet, and Mr. Loeper confirmed that it is 20,000 square feet.

Mr. Bartlett expressed concern about gasoline tank safety, particularly in view of sinkhole prone areas. He also raised the issue of the number of gasoline deliveries coming from different refineries.

Mr. Jenaway expressed a concern with the traffic pattern for ingress and egress from the property to Route 202 in the current plan and wanted to hear PennDOT's review of crossing four lanes of traffic to get into the current shopping center. Another concern is the potential queuing in the right lane to get into the property. In view of the additional traffic for both sides of Route 202, Mr. Jenaway suggested that the Planning Commission take a look at possibly requiring or moving the traffic light from Town Center Road down to the area of the new developments, make Town Center Road a right turn only and have the top part of the shopping center redeveloped at the same time the bottom part is done.

Mr. Waks expressed similar concerns about traffic patterns. Another issue would be the impact of the proposed Wawa on the Wawa located on Henderson and Prince Frederick as far as pedestrian and vehicular traffic entering and leaving the store.

Mr. McBride reiterated the traffic concerns and wanted to review the traffic information as soon as it can be obtained.

From the public:

Mr. Ken Foreman, King of Prussia, expressed concerns about oil tanker deliveries and resulting sound excesses in early morning hours, lighting, and variances for billboards. He believes the site is too small since the applicant wants 16 pumps instead of 12 pumps as previously proposed on a similar size lot on Henderson Road. Mr. Foreman also felt the applicant should have discussed this with the Business Improvement District of Upper Merion Township.

Board Comment:

Mr. McBride asked the applicant to be prepared at the next phase to comment on the 16 pumps versus 12 that were part of the other project and also, if available, the time of oil tanker deliveries.

Mr. McBride commented that although it would have been good from a public relations standpoint, it was not necessary for the applicant to discuss this matter with the Business Improvement District and the expectation is it would probably take place at some point in the future.

Mr. Jenaway indicated he would like to see information about additional protection for the noise to be transmitted from this property back into Henderson Park.

Mr. Waks expressed appreciation to Mr. Foreman for coming to this meeting. He noted that Mr. Foreman previously served several years on the Planning Commission and raised some valid points that will need to be addressed in moving forward to Phase II.

ADDITIONAL BUSINESS

FLU SHOTS

Mr. Waks announced that Upper Merion Township through Montgomery County will be offering free flu shots on October 31 from 9:30 a.m. to 11:30 a.m. at the Upper Merion Senior Service Center and on November 1 from 3 to 6 p.m. at the Upper Merion Township Building. At the Board of Supervisors meeting scheduled for Thursday, October 13, a public service announcement will be unveiled about the importance of flu shots.

ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 8:42 p.m.

RONALD G. WAGENMANN
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:

Minutes Entered: