

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
JULY 19, 2018

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, July 19, 2018, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:42 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Greg Philips, Carole Kenney and Tina Garzillo. Also present were: Sally Slook, Acting Township Manager; John Walko, Solicitor's Office; Rob Loeper, Township Planner; Tom Beach, Township Engineer and Angela Caramenico, Assistant to Township Manager.

CHAIRMAN'S COMMENTS:

Chairman Philips stated an Executive Session was held prior to this meeting to discuss personnel issues and that discussion will resume in Executive Session after the business meeting.

NEW BUSINESS

CONSENT AGENDA RE:

1. Resolution 2018-41 re: Disposition of Township Property to Auction – Three vehicles for a sale value of \$21,500.00
2. Resolution 2018-42 re: Authorizing the Acting Township Manager to Execute all Documents and Agreements in Connection with the Multi-Modal Transportation Fund Grant Request for Phase 2 of the First Avenue Linear Park in the amount of \$1,370,533.00
3. Equipment Replacement Request re: Collection Systems – Replacement of the Variable Frequency Drive for Pump #1 at Abrams Pump Station - \$17,670.00
4. Accept Extension Letters re:
 - a. Henderson KOP, LLC – 243 South Henderson Road until 8/17/18
 - b. Mancill Mill Road Company until 11/30/18

Board Action:

It was moved by Mr. Waks, seconded by Mr. Jenaway, all voting "Aye" to approve the Consent Agenda as presented. None opposed. Motion approved 5-0.

MEETING MINUTES:

It was moved by Mrs. Kenney, seconded by Mrs. Garzillo, all voting "Aye" to approve the June 13, 2018 Special Meeting Minutes and June 21, 2018 Business Meeting Minutes as submitted. None opposed. Motion approved 5-0.

WRIGHT PARTNERS DEVELOPMENT PLAN – 243 S. HENDERSON ROAD, CONSTRUCTION OF A 6,783 SF AUTO SERVICE BUILDING WITH 8 BAYS AND A 2,572 SF FAST FOOD DRIVE-THRU RESTAURANT W/ASSOCIATED PARKING, ACCESS ROADS, LIGHTING, LANDSCAPING, UTILITIES AND STORMWATER MANAGEMENT, 1.96 ACRES, GC GENERAL COMMERCIAL, Review of Settlement Proposal, Plan expiration 7/20/18

Mr. Rob Loeper, Township Planner, stated this was the site formerly approved for a Wawa several years ago. The property is located at 243 South Henderson Road at the signalized intersection of Saulin Boulevard.

Mr. Loeper indicated Wright Partners came in last year with a plan for two buildings for a fast food restaurant with drive-thru and an auto tire store. The plan as presented at that time required relief from the Zoning Hearing Board which was subsequently denied.

Since the effort with the Zoning Hearing Board was not successful, the applicant came back to the township with a revised plan which would not require zoning relief. The supervisors had concern over certain aspects of the by right plan because of issues related to queuing for the drive-thru and the circulation for entering and exiting traffic.

Mr. Loeper indicated Denise Yarnoff, representing the applicant, pursued the idea of communicating with the Zoning Hearing Board the preferable layout of the original plan versus the by right plan which ultimately ended up in litigation over the ZHB decision. Mr. Loeper commented the Upper Merion Planning Commission shared the view of the Board of Supervisors in that they preferred the original plan over the by right plan.

Mr. Loeper stated the Township Solicitor, Zoning Hearing Board Solicitor and applicant's attorney worked out a settlement agreement which would resolve the zoning litigation. It was noted the plan will have to be revised somewhat and the applicant upon acceptance of the settlement agreement will resubmit the land development plan with changes as outlined in the agreement. The land development process will then resume where it left off.

Mr. Walko stated the agreement has been reviewed by the Township Solicitor who has found the technical aspects of the agreement acceptable.

Mr. Jenaway confirmed Mr. Loeper's representation of the Planning Commission's position.

Mr. Philips asked when the Board of Supervisors will have an opportunity to see the final plan. The response from the audience indicated "very soon" at one of the next meetings.

Board Action:

It was moved by Mr. Jenaway, seconded by Mrs. Garzillo, all voting "Aye" to authorize the Township Solicitor to execute this settlement agreement. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Waks, seconded by Mr. Jenaway, all voting "Aye" to approve the Accounts Payable for invoices processed from June 15 to July 11, 2018 in the amount of \$1,285,858.21 and the Payroll for June 29, 2018 and July 13, 2018 in the amount of \$1,900,537.95 for a total of \$3,186,396.16. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS

OUTSTANDING FINANCIAL NEWS

Mr. Waks announced the Board of Supervisors received some outstanding financial news in the past week. After reconciling the numbers for fiscal year 2017 it was determined that Upper Merion Township has a budget surplus of more than \$1.15 million. It was noted this marks the third consecutive year the township has secured a budget surplus of \$1 million. Mr. Waks attributed Upper Merion's strong financial position to (1) the growing economy and investment in our community, (2) sound budgeting, and (3) infrastructure investment. He remarked, "The future of Upper Merion Township remains bright."

WEST END CIVIC ASSOCIATION ANNUAL GALA

Mrs. Kenney provided details on the West End Civic Association Gala to be held on Saturday, July 21st from 2-6 p.m. at William Wall Park.

PUBLIC OPEN HOUSE REGARDING STORMWATER

Mrs. Kenney stated on Monday, July 23rd from 4 p.m. to 7 p.m. in Freedom Hall the Upper Merion Township Sanitary and Stormwater Authority is holding a public open house to review the results of the updated stormwater study. This forum will provide residents with an opportunity to offer their thoughts, comments, concerns and questions about stormwater management in Upper Merion.

VACANCIES ON ENVIRONMENTAL ADVISORY COMMITTEE (EAC)

As Board Liaison to the EAC, Mrs. Kenney noted two vacancies on the EAC, one of which is for a student representative and encouraged interested residents to apply.

THANK YOU FOR WARM WELCOME

As a newly appointed supervisor on the Upper Merion Township Board of Supervisors, Mrs. Tina Garzillo expressed appreciation to everyone who has been so helpful and welcoming as she assumes her new public service duties.

NATIONAL NIGHT OUT

Mrs. Garzillo noted the Upper Merion Police Department will be hosting a National Night Out on Tuesday, August 7th from 6 p.m. to 9 p.m. in the Target parking lot. This event will be partnered with surrounding police departments, the Pennsylvania State Police and additional county-wide resources.

E-NEWSLETTER SIGN-UP

Mrs. Garzillo indicated she has had many questions from people interested in receiving the township E-newsletter. She explained the easy sign-up which is available at the bottom of the township website home page.

JOHN W. BRENNAN REMEMBRANCE

Mr. Jenaway noted the passing this week of Jack Brennan, a retired Upper Merion Police Lieutenant and founding Fire Chief of the King of Prussia Fire Company, who was one of Upper Merion's champions and finest public servants. On behalf of the citizens of Upper Merion, Mr. Jenaway expressed condolences to Jack's family.

Mr. Philips stated Jack's loss as a member of the Greatest Generation will be greatly felt in Upper Merion as he gave so much and never hesitated to give more.

APPOINTMENTS TO FARMERS MARKET ADVISORY BOARD AND PARK AND RECREATION BOARD

Board Action:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to appoint Lydia Dan Sardinas to the Farmers Market Advisory Board and Dana Augustine to the Park and Recreation Committee. None opposed. Motion approved 5-0.

TREE REMOVAL AT HEUSER PARK

Mr. Jenaway said he has received a number of inquiries about what is happening at Heuser Park on Beidler Road. He explained as a result of the emerald ash borer infestation the ash trees in that area are being removed. Mr. Jenaway emphasized the tree removal has nothing to do with any development or construction.

IN MEMORY OF JOANE F. MCNAMARA

Mrs. Kenney announced the passing this week of Joane McNamara, a long-time dedicated librarian who served through the years and leaves a lasting legacy at the Upper Merion Township Library. Mrs. Kenney recalled one of many special memories about the time her daughter, Kristen, won a puppet show at the Upper Merion Community Fair. The following February Joane brought the puppet stage and puppets to Kristen's bedroom for her third birthday. Mrs. Kenney expressed her condolences to Joane's family and also to Jack Brennan's family and said Upper Merion mourns the loss of these two dedicated citizens.

CONCERTS UNDER THE STARS

Mr. Philips reminded everyone about the Concerts Under the Stars held Sundays at 6 p.m. in the summer months at the Township Building Park where there are food vendors and a beer garden.

CITIZEN BOARD VACANCIES

Mr. Philips noted there are vacancies on a number of citizen boards and encouraged those who have a special interest in any of the citizen board vacancies listed on the township website to apply and become involved in the community.

PARK AND RECREATION PRESENTATION FOR PARK AND RECREATION MONTH

Glenn Anne Chabala, Assistant Director, Park and Recreation, introduced Sudha Suryadevara, Recreation Superintendent, Sue Hoffman, Program Coordinator and Gerry Testa, Maintenance Foreman who were instrumental in organizing the logistics and various elements of the Summer Adventure Day Camp Dance. After a video presentation of the dance program, the Upper Merion Park and Recreation staff presented the Board of Supervisors with specially-designed t-shirts recognizing July as Park and Recreation Month.

ED O'BRIEN RETIRING AS PUBLIC WORKS DIRECTOR

Mr. Philips presented Ed O'Brien, Director of Public Works, with a proclamation on the occasion of his retirement after 45 years of dedicated service to the residents of Upper Merion Township. The proclamation outlined Mr. O'Brien's many accomplishments and awards received throughout his years of service.

ALEX'S LEMONADE STAND

Ms. Alex Scipione announced and invited the community to attend the 9th annual Alex's Lemonade Stand hosted by the Valley Forge Towers Community Association, to raise funds and awareness for the fight against childhood cancer to be held on Saturday, July 21st from 11 a.m. to 3 p.m. at their complex on Valley Forge Circle. It was noted this year's event will be held in honor and memory of Ellen S. Cardonick who lost her courageous battle to ovarian cancer in December 2017.

From the Public:

Mr. Herbert Baiersdorfer, Gypsy Lane, reiterated his stormwater runoff issues and read a letter from his engineer subsequent to his engineer's meeting with the Township Engineer and Township Planner. The Township Engineer is preparing a response to that letter.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 8:25 p.m.

SALLY SLOOK
ACTING TOWNSHIP MANAGER

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Minutes Entered
Minutes Approved: