

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
NOVEMBER 12, 2020

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, November 12, 2020, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:30 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: Anthony Hamaday, Township Manager; Joseph McGrory, Solicitor's Office; Tom Beach, Engineer; and Rob Loeper, Township Planner.

CHAIRMAN'S COMMENTS:

Chairman Jenaway announced that an Executive Session was held prior to the business meeting to discuss personnel matters.

NEW BUSINESS

CONDITIONAL USE HEARING – MANCILL MILL ROAD COMPANY, 850 MANCILL MILL ROAD. APPLICATION OF THE MANCILL MILL ROAD COMPANY, 850 MANCILL MILL RD SEEKING CONDITIONAL USE APPROVAL, PURSUANT TO SECTION 165-135, USE REGULATIONS, OF THE TOWNSHIP CODE TO PERMIT A RESIDENTIAL-ORIENTED DEVELOPMENT (ROD) TO BE LOCATED ON THE SM-1 ZONED PROPERTY

Solicitor McGrory opened and closed the hearing.

Board Motion:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to continue the conditional use hearing for Mancill Mill Road Company until the Business Meeting on December 3, 2020.

CONSENT AGENDA RE:

1. FINANCIAL ESCROW SECURITY RELEASE NO. 1, LOSTY SUBDIVISION, 231 W. MATSONFORD RD – APPROVAL OF ESCROW RELEASE NO. 1 TO JAMES LOSTY IN THE AMOUNT OF \$69,203.00 FOR THE COMPLETION OF REQUIRED SITE IMPROVEMENTS TO DATE AS PART OF THE LOSTY SUBDIVISION AS RECOMMENDED BY THE TOWNSHIP ENGINEER SUBJECT TO PAYMENT OF ALL OUTSTANDING FEES.
  
2. FINAL RELEASE AND TERMINATION OF LAND DEVELOPMENT AGREEMENT – VR-5 HANOVER APARTMENT COMPLEX, 625 S. GODDARD BLVD – APPROVAL OF THE FINAL RELEASE AND TERMINATION OF THE LAND DEVELOPMENT AGREEMENT WITH CHI REALTY V11 FOR THE HANOVER APARTMENT COMPLEX IN THE VILLAGE AT VALLEY FORGE AS RECOMMENDED BY THE TOWNSHIP ENGINEER SUBJECT TO PAYMENT OF ALL OUTSTANDING FEES.

3. FINANCIAL ESCROW SECURITY RELEASE (FINAL), EDDIE V'S, 671 W. DEKALB PIKE – SIMON GROUP. APPROVAL OF THE FINAL ESCROW RELEASE TO KING OF PRUSSIA ASSOCIATES IN THE AMOUNT OF \$668,609.70 FOR THE COMPLETION OF REQUIRED SITE IMPROVEMENTS TO DATE AS PART OF THE EDDIE V'S PROJECT AS RECOMMENDED BY THE TOWNSHIP ENGINEER SUBJECT TO PAYMENT OF ALL OUTSTANDING FEES.
4. APPROVAL OF 2020/2021 PA AUTOMOBILE THEFT/MOTOR VEHICLE INSURANCE FRAUD INTERGOVERNMENTAL AGREEMENT WITH THE PA STATE POLICE FOR THE REIMBURSEMENT OF COORDINATED INVESTIGATION AND ENFORCEMENT OF VEHICLE THEFT LAWS IN THE TOWNSHIP.
5. AUTHORIZATION FOR THE TOWNSHIP MANAGER TO SIGN SETTLEMENT STIPULATION FOR KI HENDERSON SQUARE ASSOCIATES LP, 310 S. HENDERSON ROAD, FOR THE TAX YEARS 2016-2020, RESULTING IN AN UNDERPAYMENT OF REAL ESTATE TAXES FOR THE YEARS 2016-2020 IN THE AMOUNT OF \$11,299.73.
6. AUTHORIZATION FOR THE TOWNSHIP MANAGER TO SIGN REAL ESTATE TAX SETTLEMENT STIPULATION FOR ROBERT M. SEGAL, TRUSTEE & MACY'S INC., 680 W. DEKALB PIKE, FOR THE TAX YEARS 2016-2020, RESULTING IN AN UNDERPAYMENT OF REAL ESTATE TAXES FOR THE YEARS 2016-2020 IN THE AMOUNT OF \$22,246.98.
7. RESOLUTION 2020-40 RE: DISPOSITION OF TOWNSHIP PROERTY – AUTHORIZATION FOR THE TOWNSHIP MANAGER TO DISPOSE OF THE FOLLOWING VEHICLES AT PUBLIC AUCTION: 2016 FORD INTERCEPTOR AND 2008 CHEVROLET IMPALA LS.
8. CITIZEN BOARD RESIGNATIONS – ACCEPTANCE OF THE FOLLOWING CITIZEN BOARD RESIGNATIONS: ALEXANDRA MOULTON FROM THE EAC, DIANN POOLE FROM THE FARMERS MARKET ADVISORY BOARD AND MOIRA RYAN FROM THE P&R BOARD.
9. AUTHORIZATION TO ADVERTISE A PROPOSED ORDINANCE APPROVING THE COLLECTION PROCEDURES AND COSTS FOR THE COLLECTION OF UNPAID MUNICIPAL CLAIMS ON DELINQUENT ACCOUNTS PAYABLE TO THE TOWNSHIP FOR CONSIDERATION AND ACTION AT THE DECEMBER 3, 2020 REGULAR BOARD MEETING.
10. AUTHORIZATION TO ADVERTISE A PROPOSED ORDINANCE TO BE KNOWN AS THE BLIGHT RECLAMATION AND REVITALIZATION ORDINANCE', WHICH WILL ESTABLISH CERTAIN REGULATIONS, PROTECTIONS AND SAFEGAUARDS AVAILABLE TO THE TOWNSHIP IN ORDER TO ADDRESS DETERIORATED PROPERTIES WITHIN THE TOWNSHIP FOR CONSIDERATION AND ACTION AT THE DECEMBER 3, 2020 REGULAR BOARD MEETING.

11. MEMORANDUM OF UNDERSTANDING WITH THE KING OF PRUSSIA MALL FOR 2021 POLICE SERVICES – CONSIDERATION OF A MEMORANDUM OF UNDERSTANDING WITH THE KING OF PRUSSIA MALL FOR THE PAYMENT OAND REIMBURSEMENT OF COSTS FOR ADDITIONAL POLICE COVERAGE AT THE MALL COMPLEX FOR THE YEAR 2021 IN THE AMOUNT OF \$140,597.01.

12. APPROVAL TO SIGN AN CONSTRUCTION AGREEMENT WITH PENNDOT FOR REIMBURSEMENT FOR THE CONSTRUCTION OF THE 450 L.F. RETAINING WALL BY THE 422 CORRIDOR TO J.D. ECKMAN AT A COST OF \$417,000.00 FROM THE PARK AND RECREATION CAPITOL FUNDS.

Board Motion:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the Consent Agenda as presented. None opposed. Motion passed 5-0.

RESOLUTION 2020-41 – PRELIMINARY/FINAL SUBDIVISION PLAN – JOSEPH GALLEO, 689 JEFFERSON STREET. CONSIDERATION OF A PRELIMINARY/FINAL SUBDIVISION PLAN SUBMITTED BY JOSEPH GALLEO, AS PREPARED BY JOSEPH M. ESOCK, P.E., DATED JULY 20, 2020, LAST REVISED OCTOBER 20, 2020 FOR THE SUBDIVISION OF THE EXISTING R-3 RESIDENTAIL PARCEL INTO 2 RESIDENTIAL LOTS AND THE CONSTRUCTION OF 1 NEW DWELLING UNIT

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2020-41 for the subdivision plan located at 689 Jefferson Street as presented. None opposed. Motion passed 5-0.

RESOLUTION 2020-42 – PRELIMINARY/FINAL SUBDIVISION PLAN – GEN TERRA CORPORATION SUBDIVISION, 624 COLUMBUS STREET. CONSIDERATION OF A PRELIMINARY/FINAL SUBDIVISION PLAN SUBMITTED BY THE GEN TERRA CORPORATION, AS PREPARED BY WILKINSON & ASSOCIATES, DATED APRIL 20, 2020, LAST REVISED JULY 21, 2020 FOR THE SUBDIVISION OF THE EXISTING R-3 RESIDENTIAL PARCEL INTO 4 RESIDENTIAL LOTS AND THE CONSTRUCTION OF 4 NEW TOWNHOUSE UNITS.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Garzillo, all voting "Aye" to approve an extension of the GenTerra Corporation Subdivision Plan to December 3, 2020. None opposed. Motion passed 5-0.

RESOLUTION 2020-43 – PRELIMINARY/FINAL SUBDIVISION PLAN – MAYFIELD SITE CONTRACTORS & EASTERN REAL ESTATE CO (NORFOLK SOUTHERN CORP). PARCEL #58-16012-00-4. CONSIDERATION OF A PRELIMINARY/FINAL SUBDIVISON PLAN SUBMITTED BY MAYFIELD SITE CONTRACTORS/EASTERN REAL ESTATE CO, PARCEL #58-16012-00-4, ALSO KNOWN AS THE NORFOLK SOUTHERN ABRAMS RAILROAD YARD (ABRAMS MILL & HENDERSON RDS) AS PREPARED BY ASSOCIATED ENGINEERING CONSULTANTS, DATED SEPTEMBER 17, 2020, FOR THE SUBDIVISION OF THE EXISTING HI ZONED 49-ACRE PARCEL INTO 2 LOTS.

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to approve the Resolution 2020-43 as presented. None opposed. Motion passed 5-0.

POSTING OF THE 2021 BUDGET

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to approve the posting of the 2021 Budget. A hearing will be held on December 3, 2020 to adopt the 2021 Budget. None opposed. Motion passed 5-0.

ACCOUNTS PAYABLE & PAYROLLS:

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to approve the Accounts Payable for invoices processed from October 16, 2020 to November 4, 2020 in the amount of \$1,579,289.66 and the Payrolls for October 2, 2020, October 16, 2020 and October 30, 2020 in the amount of \$2,752,120.34 for a total of \$4,331,410.00. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Chairman Jenaway gave a COVID update relaying the latest guidelines from the CDC and Montgomery County.

Supervisors Philips and Waks thanked all the volunteers who worked the poles.

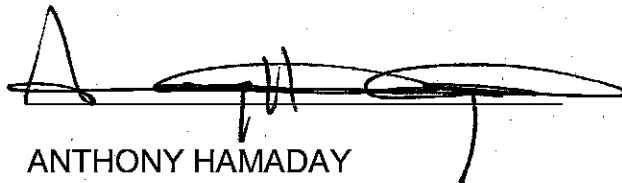
Supervisor Waks thanked the Swedeland Fire Company for their 100<sup>th</sup> anniversary banquet recently held in the township.

Supervisor Waks also asked all residents to donate non-perishable food to the Community Cupboard.

Supervisor Garzillo mentioned the Farmers Market and strongly encouraged residents to support small local businesses.

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 9:50 pm.



ANTHONY HAMADAY  
TOWNSHIP MANAGER

cad  
Minutes Entered  
Minutes Approved: