

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
FEBRUARY 18, 2021

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, February 18, 2021, 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, Carole Kenney, Tina Garzillo, Greg Waks and Greg Philips. Also present were: Anthony Hamaday, Township Manager; Joe McGrory, Township Solicitor and Leanna Colubriale, Township Engineer.

MEETING MINUTES: June 18, 2020 – Business Meeting
 July 16, 2020 – Business Meeting
 August 6, 2020 – Zoning Workshop
 August 6, 2020 – Workshop
 August 20, 2020 – Business Meeting
 September 17, 2020 – Business Meeting

Board Action:

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

CHAIRMAN'S COMMENTS:

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

NEW BUSINESS

Conditional Use Hearing (continued) – 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. The Conditional Use Hearing for Mancill Mill Road Company will be continued at the March 18, 2021 Business Meeting.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to continue the Mancill Mill Road Company Conditional Use Hearing to the March 18, 2021 Business Meeting. None opposed. Motion approved 5-0.

Public Hearing re: An Ordinance to amend Chapter 165, Zoning, Section 165-145 of the Township Code to provide for a Heavy Industrial Redevelopment Overlay District and to permit certain research and development uses by right within the HI Zoning District

Solicitor McGrory opened the hearing to amend Chapter 165 of the Township Code to provide for a HI Redevelopment Overlay District and to permit certain

research and development uses within the HI Zoning District. This proposed ordinance was discussed at the most recent workshop meeting and was moved forward for discussion for potential adoption tonight.

Solicitor McGrory introduced into the record several exhibits. He explained that this ordinance is designed to expand the uses permitted in the HI Zoning District and, specifically to accommodate the redevelopment of the Glaxo Smith Kline property. There were some unusual provisions in our HI District that prohibited uses that were permitted otherwise in the HI District; and in this case, it limits the ability to redevelop that property.

There were no questions or comments from the Board or the public.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Phillips, all voting "Aye" to accept this request to change the research and development uses within the HI Zoning District as detailed previously. None opposed. Motion approved 5-0.

Resolution 2021-08 – Preliminary/Final Subdivision Plan – Gen Terra Corporation Subdivision, 624 Columbus Street. Consideration of a preliminary/final subdivision plan submitted by the GenTerra 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

The applicants were present to present the subdivision plan for Gen Terra Corporation for the construction of 4 new townhouse units at 624 Columbus Street. The board voiced their concerns regarding this plan and therefore the applicants agreed to another extension. This plan will be moved to a future board meeting. No action from the Board was taken at this time.

Resolution 2021-09 – Preliminary/Final Subdivision Plan – Kay-Oberreither/Solan-Burgess, 1266 & 12172 Gulph Creek Drive. Consideration of a subdivision plan submitted by Susan Kay, Paul Oberreither, Joshua Solan & Jennifer Burgess, as prepared by Site Engineering Concepts, LLC, dated November 24, 2020, last revised January 18, 2021 for the transfer of 19,563 sq. ft. from 1266 Gulph Creek Road to 1272 Gulph Creek Road which is located in an R1A zoning district

Applicants Joshua Solan and Jennifer Burgess proposed a lot line change on the subject properties to convey a 19,563 square foot rectangular piece of ground containing a tennis court from the Oberreither Property to the Solan Property. No other improvements are proposed. Upon completion of the transfer, the Oberreither Property will occupy 101,263 square feet and the Solan Property will occupy 112,747 square feet. The existing lot line that currently separates the two parcels will be vacated.

Board Action:

It was moved by Mr. Phillips, seconded by Mrs. Kenny, all voting "Aye" to approve Resolution 2021-09 for the lot line revision at 1272 Gulph Creek Road as presented. None opposed. Motion passed 5-0.

CONSENT AGENDA RE:

1. Resignation of Evelyn Ankers from the Community Center Complex Advisory Board

2. Resignation of William DelCollo from the Upper Merion Historical Commission.
3. Authorization for the Township Manager to sign Real Estate Tax Settlement Stipulations:
 - a. SSN Ruchi Hotels Land Development LLC, 875 Mancill Mill Road, for the tax year 2020, resulting in an overpayment of real estate taxes in the amount of \$4,569.65.
 - b. ALISUE LLC & ANEFF LLC, 1000 First Avenue for the tax years 2019 & 2020, resulting in an underpayment of real estate taxes for the years 2019 – 2020 in the amount of \$3,869.50.
 - c. ALISUE LLC & ANEFF LLC, 1020 First Avenue for the tax years 2019 & 2020, resulting in an underpayment of real estate taxes for the years 2019 – 2020 in the amount of \$3,869.50.
 - d. ALISUE LLC & ANEFF LLC, 1040 First Avenue for the tax years 2019 & 2020, resulting in an underpayment of real estate taxes for the years 2019 – 2020 in the amount of \$3,869.50.
 - e. ALISUE LLC & ANEFF LLC, 1060 First Avenue for the tax years 2019 & 2020, resulting in an underpayment of real estate taxes for the years 2019 – 2020 in the amount of \$3,869.50.
 - f. Duce Park, LLC, 631 Park Avenue for the tax years 2019 & 2020, resulting in an overpayment of real estate taxes for the years 2019 – 2020 in the amount of \$10,974.16.
 - g. ASP Realty, Inc, 304 W. DeKalb Pike for the tax years 2019 & 2020, resulting in an overpayment of real estate taxes for the years 2019 – 2020 in the amount of \$3,014.25.
 - h. Baruch Triad LLC, 2200 Renaissance Boulevard for the tax years 2018 - 2020, resulting in an underpayment of real estate taxes for the years 2018 – 2020 in the amount of \$11,087.98.
 - i. 145 W. DeKalb Pike Associates, LP, 135-145 W. DeKalb Pike for the tax years 2015 -2020, resulting in an underpayment of real estate taxes for the years 2015 -2020 in the amount of \$37,587.43.
 - j. KOP Hotel XXXI Owner LP, 260 Mall Boulevard for the tax years 2017 -2-18, resulting in an underpayment of real estate taxes for the tax years 2017 – 2018 in the amount of \$15,531.59.
 - k. Brandywine Operating Partnership LP, 935 First Avenue, Condo 2 for the tax years 2019 -2020, resulting in an underpayment of real estate taxes for the tax years 2019 – 2020 in the amount of \$4,451.33.
4. Township Outdoor Police Firing Range Soil Remediation Project Contract – Gordian. Consideration of a contract with Gordian of Greenville, South Carolina, through the Keystone Purchasing Network, for the soil remediation at the Township's outdoor Police Firing Range in the amount of \$97,717.94.
5. Resolution 2021-07 re: Disposition of Township Vehicles to Auction.
6. Resolution 2021-10 re: Montco 2040 Grant Application – Renaissance Business Park. Authorization for the Township Manager to submit a Montco 2040 Implementation Grant Program application to Montgomery County for public transportation and wayfinding improvements in the Renaissance Business Park.

7. Permission to Advertise a Proposed Ordinance amending Chapter 165, to amend the title and definition of adult bookstore, adult video store and sexually oriented business and to amend to reclassify adult book and video stores for consideration at the April 15, 2021 Business Meeting.
8. Crow Creek Trail Project Contract Payment # 3 in the amount of \$184,475.25 to Kenney Excavating for work to date on the Crow Creek Trail Project.
9. UMT Fire Station 56HQ Plumbing Contract Change Order Request No. 1 in the amount of \$4,235.29 to F.W. Houder for the replacement of floor mount toilets with wall mount fixtures.
10. UMT Fire Station 56HQ Electrical Contract Change Order Request No. 1 in the amount of \$250.68 to Whitemarsh Electric for the installation of USB charging receptacles in the dormitory room.
11. UMT Fire Station 56 HQ Electrical Contract Change Order Request No. 2 in the amount of \$1,101.20 to Whitemarsh Electric for the installation of additional receptacles and wiring in the computer server room.
12. UMT Fire Station 56HQ General Construction Contract Payment #6 in the amount of \$31,065.00 to the Fayette Group for work to date on the Fire Station.
13. UMT Fire Station 56HQ Mechanical Contract Payment # 6 in the amount of \$3,150.00 to A-Duct Mechanical for work to date on the Fire Station.
14. UMT Fire Station 56HQ Elevator Contract Payment #4 in the amount of \$ 7,740.00 to F.W. Houder for work to date on the Fire Station.
15. UMT Fire Station 56HQ Electrical Contract Payment # 6 in the amount of \$8,329.59 to Whitemarsh Electric for work to date on the Fire Station.
16. UMT Fire Station 56HQ Construction Management Contract Payment in the amount of \$7,580 to A&E Construction for work to date on the Fire Station.
17. 2019 & 2020 Township Road Program Engineering Contract Change Order Request No. 1 in the amount of \$8500 to T&M Associates for the survey, design and inspection of 8 additional ADA ramps as part of the road programs.

Board Action:

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

Verizon Land Lease – Twp. Public Works Garage, 466 W. Church Road. Consideration of a 5-year renewable land lease with Cellco Partnership, d/b/a Verizon wireless for the installation of a 394 sq. ft. wireless cellular

communications facility, including an 81' monopole tower on the Township property at an annual lease rate of \$12,000.

Board Action:

It was moved by Mrs. Kenney, seconded by Mr. Waks, all voting "Aye" to approve the Verizon Land Lease for the Township Public Works Garage located at 466 W. Church Road. None opposed. Motion approved 5-0

Fence Height Exception Request – 1112 Lafayette Road, Wayne. Consideration of a request from the property owner of 1112 Lafayette Road, pursuant to Section 165-208 of the Township Zoning Code, to permit an 8' high solid fence along the rear property line adjacent to a railroad line.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to approve the fence height exception request as presented. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the Accounts Payable for invoices processed January 5, 2021 through February 10, 2021 in the amount of \$3,708,129.14 and the Payrolls in the amount of \$1,895,444.39 for a total of \$5,603,573.53. None opposed. Motion approved 5-0.

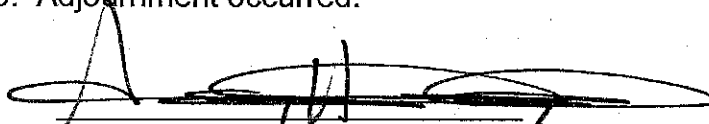
ADDITIONAL BUSINESS:

Chairman Jenaway gave an update on COVID-19, focusing on how the Township is adhering to all health and safety guidelines from the CDC and State Health Department.

Several board members voiced their frustrations at the county and state level on the lack of testing and vaccination sites and the short supply of vaccines available.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Philips, seconded by Mrs. Garzillo, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred.


ANTHONY HAMADAY
TOWNSHIP MANAGER

cd

Minutes Approved:

Minutes Entered:

~~Handwritten scribble~~