

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
WORKSHOP MEETING  
March 4, 2021

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, March 4, 2021, in the Township Building. The meeting was called to order at 8:13 p.m., followed by a pledge of allegiance.

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.

CHAIRPERSON'S COMMENTS:

Chairperson Jenaway informed the public that the Board held a Zoning Workshop prior to the meeting and will hold an executive session to discuss real estate and personnel matters after the Business meeting.

Final Land Development Plan Presentation – 3700 Horizon Drive

Mr. Hamaday informed the Board that PROTECS, Inc., 3700 Horizon Drive has submitted Final Land Development submission for the proposed 74,000 SF pharmaceutical laboratory/production and warehouse Facility expansion on the property. Mr. Hamaday indicated that the Board had granted preliminary plan approval in September 2020 and the applicant has amended the final plan and turned over the presentation to the applicant's attorney, Ed Campbell. Mr. Campbell indicated that the proposed use of the 74,000 square foot addition to existing building has changed from production/warehouse to life science research and manufacturing resulting in a reduction of approximately 88 parking spaces from the prior plan. All other aspects and improvements of the plan remain unchanged. The Board had no immediate issues with the final land development plan. Mr. Hamaday indicated that the plan would be placed on the Board's March Business agenda for action.

Preliminary/Final Subdivision Plan – GenTerra Corporation Subdivision, 624 Columbus Street.

Mr. Hamaday indicated that the preliminary/final subdivision plan submitted by the GenTerra Corporation, as prepared by Wilkinson & Associates, dated April 17, 2020 last revised February 10, 2021 for the subdivision of the existing R-3 Residential parcel into 4 residential lots and the construction of 4 new townhouse units was ready for action by the Board.

Mr. Waks made a motion, seconded by Mr. Phillips to adopt Resolution 2021-08 denying the preliminary/final subdivision plan submitted by the GenTerra Corporation, as prepared by Wilkinson & Associates, dated April 17, 2020 last revised February 10, 2021 for the subdivision of the existing R-3 Residential parcel into 4 residential lots and the construction of 4 new townhouse units. Motion passed 4-1 with Supervisor Kenney voting no.

### DeKalb Street Sidewalk Project Contract Payment # 5

Mr. Hamaday provided an update on the sidewalk project and indicated that the project is about 85% complete. He asked the Board to consider approving contract payment #5 in the amount of \$30,845.01 to the Marino Corporation for work to date on the project.

Mr. Phillips made a motion, seconded by Mrs. Kenney, to approve contract payment #5 in the amount of \$30,845.01 to the Marino Corporation for work to date on the project. Motion passed 5-0.

### Financial Escrow Security Release No. 1, 900 River Road LLC, 900 River Road

Mr. Waks made a motion, seconded by Mrs. Garzillo, to approve Escrow Release No. 1 to 900 River Road LLC in the amount of \$854,887.14 for the completion of required site improvements to date as part of the warehouse development project as recommended by the Township Engineer. Motion passed 5-0

### Appointment of EAC Student Advisory Position

Mrs. Kenney made a motion, seconded by Mrs. Garzillo, to appoint Ashley Nguyen to the EAC Student Advisory position. Motion passed 5-0.

### Discussions:

#### Environmental Advisory Council – RF100 Update

Zach Davis, Chair of the EAC gave a PowerPoint presentation to the Board on the Environmental Advisory Council's activities on the RF 100 campaign initiated by the Sierra Club to get communities on board for the transition to 100% clean energy by 2035. Mr. Davis indicated that 20% of all the communities in the County have adopted RF100 reside in the southeast. He explained the four (4) key goals of the program and indicated that year 1 goal, which is clean energy procurement, will start sometime this year. Mrs. Kenney indicated that she, Zach Davis of the EC and Geoff Hickman participate weekly in a virtual meeting with other municipalities on working toward each municipality's clean energy goal and wanted to thank them for their efforts. There was a consensus of the Board to buy electric vehicles in the future as well as make a commitment for building projects to have a solar electricity component. The Board asked the solicitor to see if the Township could mandate sustainability as part of any development in the Township.

#### Resolution re: Minimum Wage

Mrs. Kenney informed the board that Wage PA is asking municipalities to pass a resolution requesting the State legislature end wage preemption. She explained that local governments are prohibited by the State from establishing a minimum wage for jobs in the municipality. She further offered that the State minimum wage is not keeping up with inflation and asked the Board to support and pass a wage preemption resolution when legislation is introduced by the State legislature.

### Moore Irwin House Architectural Review

Mr. Hamaday informed the Board that he has been working with by Murray Associates on a proposed architectural review of the Moore Irwin House. The BCA awarded 43500 to the Historical Commission & ECDC for the review. Mr. Hamaday indicated that he asked Murray Associates to review their proposal to the Historical Commission/ECDC to provide not only a structural assessment but cost estimates for securing and renovating the structure. He informed the Board that the contract with Murray Associates for the Assessment will be on their March Business Agenda for consideration.

### Proposed Marijuana Ordinance

Chief Nolan provided an overview of the proposed marijuana ordinance which establishes a mechanism to process the minor nonviolent offenses of personal possession or personal use of a small amount of marijuana and personal possession of marijuana paraphernalia within the limits of Upper Merion Township. Chief Nolan indicated that under the proposed ordinance, any individual found with a small amount of marijuana, 30 grams or less, would be charged with a non-traffic summary offense rather than a misdemeanor. Chief Nolan further explained that the ordinance also has a provision for the handling of juveniles found with marijuana. The ordinance is in no way an attempt to decriminalize marijuana and a police officer will always have the option of applying the criminal code to an offense. Chief Nolan informed the Board that the Montgomery County District Attorney is not opposed to the ordinance and that Norristown Borough and Plymouth Township have adopted similar ordinances.

Mr. Waks thanked Chief Nolan for putting together an ordinance quickly. Mr. Philips suggested that if the Board moves forward with the ordinance then we need to be on solid legal ground and would rather wait to see what the State legislature does with regard to legalizing marijuana. The Board agreed to move the ordinance forward for permission to advertise at the March Business Meeting  
Business Meeting Agenda Review

Mr. Hamaday, Township Manager, reviewed the draft agenda for the upcoming March 2021 Business Meeting.

### ADJOURNMENT:

#### Board Action:

It was moved by Mr. Waks seconded by Mr. Phillips, all voting "Aye" to adjourn the meeting. None opposed. Adjournment occurred at 10:12 pm.

  
ANTHONY HAMADAY  
TOWNSHIP MANAGER

cd

Minutes Approved:

Minutes Entered:

