

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
March 18 2021

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 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:

It was moved by Mr. Philips, seconded by Mrs. Garzillo, all voting "Aye" to approve the following meeting minutes: September 3, 2020 Zoning Workshop, September 3, 2020 Workshop, October 8, 2020 Zoning Workshop, October 8, 2020 Workshop and October 15, 2020 Business Meeting. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Mr. Jenaway stated an executive session was held to discuss personnel and litigation matters prior to this meeting. Mr. Jenaway mentioned that the Board of Supervisors had several training/educational opportunities this month and several Board members virtually attended the Montgomery County Association of Township Officials Spring Convention and the Pennsylvania Employees Labor Relations Advisory Services Annual Conference.

Mr. Jenaway announced that the Township was awarded the 2020 Tree City Designation from the Arbor Day Foundation making this the 45th consecutive year and tying the Township with the City of Philadelphia. Mr. Jenaway thanked Park and Rec, Public Works, the Shade tree Commission and everyone who's efforts made this possible.

Mr. Jenaway reminded the public that questions or comments to the MYUMT location on the Township's website or call 484-636-3930. Mr. Jenaway reviewed the process of how the meeting will run. The matters will be listed item by item and during that time, the public will have the opportunity to submit their questions or comments.

NEW BUSINESS

PRESENTATION RE: BOARD OF COMMUNITY ASSISTANCE

Bret Montich, Chairperson, Board of Community Assistance, provided an overview of the Board of Community Assistance (BCA). A PowerPoint was shown. Highlights as follows:

- BCA advises the Board of Supervisors on providing assistance concerning the monies received from the Valley Forge Casino Resort.
- Non-profit and 501(c) organizations can propose plans and projects that will impact the Upper Merion community and college scholarships are offered to Upper Merion high school seniors who reside in Upper Merion
- In 2020, there were 78 applications and \$193,106,000 available in funding. As a result, there were 56 scholarships and grants awarded in 2

funding rounds totaling \$177,790.

- In the application process it is important to express what projects will be done to give back to the community.

Mr. Montich indicated that the application deadline is April 15, 2021 and recommendations on awards will be made by the BCA to the Board of Supervisors at their May 13, 2021 meeting.

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.

Action: Mr. McGrory opened the public hearing and indicated that the applicant has requested the hearing be continued to the April 15, 2021 Business meeting. Mr. McGrory closed the public hearing

CONSENT AGENDA

1. Resolution 2021-11 – Recognizing the month of April as “Pennsylvania Safe Digging Month”
2. Resolution 2021-12 – Support for the enactment of local of minimum wage laws.
3. Resolution 2021-13 - Act 537 Plan Revision – Craft Custom Homes, 153 Hughes Rd - Authorizing the submission of Sewage Facilities Planning Modules to PA DEP for the installation of an individual on lot sewage system at 153 Hughes Road.
4. Financial Security Escrow Release # 2, Craft Custom Homes, LLC, 383 Anderson Road Subdivision – Approve Escrow Release Request #2 to Craft Custom Homes, LLC, for the completion of required public improvements to date as part of the 383 Anderson Road Subdivision in the amount of \$26,497.00.
5. Financial Escrow Security Release No. 2, 900 River Road LLC, 900 River Road – Approval of Escrow Release No. 2 to 900 River Road LLC in the amount of \$34,992.15 for the completion of required site improvements to date as part of the warehouse development project as recommended by the Township Engineer.
6. Conditional Use Hearing Letter of Extension- UDR, Inc., Park Square, 751 Vandenburg Dr. – Acceptance of the letter of extension from UDR, Inc., dated February 25, 2021
7. Subdivision/Land Development Plan Review Letter of Extension – Windsor, LLC, 450 W. Beidler Road - Acceptance of the letter of extension from Windsor LLC, Inc., dated March 4, 2021
8. Authorization for the Township Manager to sign Real Estate Tax Settlement Stipulations:
 - a. Brandywine Operating Partnership, LP, 600 Park Avenue for tax years 2019 and 2020, resulting in an overpayment of real estate taxes in the amount of \$3,682.35
 - b. D&P Associates by Walgreen Eastern Co., Inc., 119 E. DeKalb Pike for tax year 2020, resulting in an overpayment of real estate taxes in the amount of \$471.93
 - c. Poven Real Estate, Inc., 645 W. DeKalb Pike for the tax years 2017 – 2020, resulting in an underpayment of real estate taxes in the amount of \$13,235.18

9. 2021 Collective Bargaining Agreement with the International Association of Fire Fighters, Local 5233
10. Homestead Exemption Request, 20736 Valley Forge Circle – Approval of the Homestead Exemption Request by the property owner of 20736 Valley Forge Circle for the 2021 Township Real Estate Tax in the amount of \$202.27.
11. Crow Creek Trail Project Contract Payment # 4 in the amount of \$67,455.00 to Kenney Excavating for work to date on the Crow Creek Trail Project.
12. UMT Fire Station 56HQ General Construction Contract Payment #6 in the amount of \$41,063.75 to the Fayette Group for work to date on the Fire Station.
13. UMT Fire Station 56HQ Plumbing Contract Payment #5 in the amount of \$12,028.76 to F.W. Houder for work to date on the Fire Station.
14. UMT Fire Station 56HQ Mechanical Contract Payment # 6 in the amount of \$8,235.00 to A-Duct Mechanical for work to date on the Fire Station.
15. UMT Fire Station 56HQ Electrical Contract Payment #6 in the amount of \$11,203.84 to Whitemarsh Electric for work to date on the Fire Station.
16. UMT Fire Station 56HQ Construction Management Contract Payment No. in the amount of \$3,575.00 to A&E Construction for work to date on the Fire Station.
17. UMT Fire Station 56HQ Construction Management Contract Payment No. in the amount of \$8,485.00 to A&E Construction for work to date on the Fire Station.
18. Moore Irwin House Structural Assessment Contract – Murray Associates. Consideration of a contract with Murray Associates of Harrisburg, PA, for the Structural inspection and assessment of the Moore Irwin House, in the amount of \$5000.00.
19. Permission to advertise – Schuylkill River West Trail Reach 2 Bid – Authorization for the Township Manager to advertise a bid for the construction of Reach 2 of the Schuylkill River West Trail from the terminus of the existing trail to its connection to the trail under US 422
20. Permission to advertise a public hearing at the April 15, 2021 Business meeting on the following proposed ordinances:
 1. Proposed ordinance amending Chapter 165, Zoning, Section 165-208, Fences, to establish height regulations within the front yard and restrict hazardous fencing types.
 2. Proposed ordinance amending Chapter 165, Zoning, Section 165-199, Nonconforming Uses, to provide regulations for existing nonconforming lots that do not meet area, width and yard dimensions.
 3. Proposed Ordinance regulating the use and possession of marijuana and marijuana paraphernalia.
21. Accept resignation of Sara Seipel from the Historical Commission

Public Comment on Consent Agenda

Michael Napolitan, 360 Garrison Way – Mr. Napolitan inquired about the new Fire Station Budget and commented on the Moore Irwin House Study. Mr. Napolitan also asked questions on the proposed marijuana ordinance. Mr. Jenaway indicated that information and data will be presented at the hearing in April.

Peter Klein, Whitegate Rd – Mr. Klein questioned the need for the marijuana ordinance.

Board Action:

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

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Phillips, seconded by Mrs. Garzillo, all voting "Aye" to approve the Accounts Payables for invoices processed from Feb 11 to March 10, 2021 and Payrolls dated February 5, 2021 and February 19, 2021 for a total of \$3,647,916.94. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS

Mr. Jenaway commented on the COVID vaccine roll out and the frustration the public has on getting information and vaccinations. He indicated that while the process is out of the township's hands, he and the Board are constantly contacting State and County officials to get sites here in the Township to assist the residents.

Mr. Jenaway also reminded everyone to continue to wear a mask, social distance, wash hands, avoid crowds and schedule a vaccination.

Mrs. Kenney reminded the public of the County COVID hotline phone number for those residents who need information or cannot register for a vaccine on-line. Mrs. Kenney also listed the Township Citizen Boards and Commissions that have vacancies and made a call for volunteers to serve.

Mrs. Garzillo acknowledged the Township's Trees City designation and thanked all those whose efforts went into the Township's receiving the award for the 45th consecutive year. Mrs. Garzillo reminded the public that the Shade Tree Commission will be hosting a Tree Tending event on April 17th and to visit the Township's website to sign up.

Mr. Garzillo informed the public that the Township's Farmers Market will begin its regular season on May 18th.

Mr. Phillips thanked Ms. Seipel for her service to the Historical Commission and asked residents interested in serving on the commission to apply.

Mr. Phillips also reminded the public of the recent news reports on incidents of violence and hatred against the Asian community across the nation and that such actions are unacceptable. He noted that the School District recently sent out an email pushing back against such hatred and the Township stands with the School District and our Asian community.

Mr. Waks also asked those residents interested in serving on a Citizen Board or Commission to apply and wished everyone a Happy Holiday season.

Public Comment

Robin Wesley, 914 Croton Rd. Ms. Wesley brought to the attention of the Board a situation regarding a shared drive between her and her neighbor's property. A new home is being built on the neighbor's property and the developer has cut off access to a portion of the driveway.

Michael Napolitan, 360 Garrison Way. Mr. Napolitan asked why there was a backlog on the Township's meeting minutes and what was causing access problems to files on the Township website.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Phillips, seconded by Mrs. Garzillo, all voting "Aye" to adjourn the meeting at 9:02 PM. None opposed. Motion approved 5-0. Adjournment occurred.



ANTHONY HAMADAY
TOWNSHIP MANAGER

cd

Minutes Approved:
Minutes Entered:

