

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
AUGUST 19, 2021

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, August 19, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:41 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Bill Jenaway, Carole Kenney, Greg Waks and Tina Garzillo. Absent was Supervisor Greg Philips. Also present were: Anthony Hamaday, Township Manager; Joseph McGrory, Esq., Township Solicitor and Leanna Colubriale, Township Engineer.

MEETING MINUTES:

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve the minutes from June 17, 2021 and July 15, 2021 as presented. None opposed. Motion passed 4-0.

CHAIRMAN'S COMMENTS:

Chairman Jenaway announced an Upper Merion Foundation meeting prior to this business meeting. He also noted that an Executive Session was held to discuss personnel and litigation. Chairman Jenaway commented on last weeks' devastating storm and the impact it had on Upper Merion Township and the entire region. He noted that there were 11 water rescues. The Matsunk Wastewater Plant lost power. The Public Works Department along with the Park & Recreation Department will continue with clean-up of many township roadways and parks that were damaged due to the storm. If residents have issues please contact the township and they will respond in a timely manner.

NEW BUSINESS

PRESENTATION OF PSATS COMMUNICATION AWARD TO UPPER MERION TOWNSHIP

David Sanko, Executive Director of PSATS was present to award the PSATS Communication Award to Upper Merion Township. It was noted that this was the 3rd time in 4 years that the award went to Upper Merion. Congratulations and praise to the PIO Staff and the Media Advisory Board on this prestigious honor.

CONDITIONAL USE HEARING (CONTINUED) – MANCILL MILL ROAD COMPANY, 850 MANCILL MILL ROAD. APPLICATION OF THE MANCILL MILL ROAD COMPANY, 850 MANCILL MILL ROAD 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 the conditional use hearing at 7:50 pm. The applicant's attorney, Skip Brion was present. He asked to have three exhibits introduced and entered into the record. They are as follows: plan with the emergency access through the sewer authority, the overall site plan showing the emergency access at the Valley Forge Towers, and the agreement stating that the applicant agrees to pave the access and make it accessible for emergency service vehicles to use it. At this time hearing and seeing no public comment, Solicitor McGrory closed the hearing.

Board Comment:

Vice Chairman Kenney commented that in order to emphasize how strongly she feels about the safety issue of not having a secondary access, she will not be voting in favor of this conditional use.

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Garzillo, to approve the conditional use agreement subject to ultimate land development submission. Ms. Kenney opposed the plan. Motion approved 3-1.

CONSENT AGENDA

1. UMT Fire Station 56HQ Mechanical Contract Payment # 9 in the amount of \$9,900.00 to A-Duct Mechanical for work to date on the Fire Station.
2. UMT Fire Station 56HQ Elevator Contract Payment # 5 in the amount of \$7,362.00 to F.W. Houser, Inc for work to date on the Fire Station.
3. 2021 Township Road Program Bid Award – To award the 2021 Road Program Bid to Glasgow, Inc. of Glenside, PA, in the amount of \$968,547.00 being the lowest responsible bidder and authorizing the proper Township Officials to sign all Contract Agreements.
4. Schuylkill River Trail Phase 2 Bid Award – To award the Schuylkill River Trail Phase 2 Bid to James R. Kenney Excavating of Collegeville, PA in the amount of \$583,650.00 being the only responsible bidder and authorizing the proper Township Officials to sign all Contract Agreements.
5. Resolution 2021-23 Authorization to sign the PennDOT Cooperative Agreement – 422 CCTV Equipment Installation equipment on Township traffic signals as part of the State's 422 Improvement Project.
6. Crow Creek Trail Project - 30-day Substantial Completion Date Extension. Approval of a 30-day contract completion extension to James Kenney Excavating & Paving due to material delivery delays from the Redi-Rock retaining wall block and TAPCO flashing beacon suppliers.
7. ADA Park Improvement Project Contract Payment #1 -Bob White & Swedeland Parks, in the amount of \$63,964.84 to JNS Paving & Excavating Corporation for ADA Improvements to date at Bob White and Swedeland Parks.
8. Resignation of Carol Ryan from the Environmental Advisory Council.
9. Resignation of Ashley Nguyen from the Student Position of the Environmental Advisory Council.
10. Crow Creek Trail Project Contract Payment # 9 in the amount of \$159,850.00 to Kenney Excavating for work to date on the Crow Creek Trail Project.
11. SEPTA KOP Rail Project Professional Services Reimbursement Agreement. Approval of an agreement with SEPTA for reimbursement to Upper Merion Township for Professional Services/Information Assistance associated with the portion of the KOP Rail Extension Project within the Township.

12. Financial Escrow Security Release No. 4, Losty Subdivision, 231 Matsonford Road– Approval of Escrow Release No. 4 to James Losty in the amount of \$130,632.00 for the completion of required site improvements to date as part of the subdivision as recommended by the Township Engineer.
13. Financial Escrow Security Release No. 7, 900 River Road LLC, 900 River Road – Approval of Escrow Release No.7 to 900 River Road LLC in the amount of \$46,345.00 for the completion of required site improvements to date as part of the warehouse development project as recommended by the Township Engineer.
14. Financial Escrow Security Release No. 1, Stonebridge At Upper Merion Subdivision, Dekalb Pike– Approval of Escrow Release No. 1 to Toll Mid-Atlantic LP., in the amount of \$274,736.50 for the completion of required site improvements to date as part of the subdivision as recommended by the Township Engineer.
15. Police Firing Range Soil Remediation Contract Change Order #1. Approval of change Order No. 1 requested by S.J. Thomas Co. in the amount of \$13,639.06 for the increase in quantity of excavated and screened soil.
16. Authorization to Advertise a Request for Qualifications for Township Solicitor/Legal Services for the Township due to the pending retirement of Township Solicitor Joseph McGrory.
17. Authorization to advertise the Bid for Phase 2 of the First Avenue Linear Park Project.
18. Authorization to discuss with the Borough of West Conshohocken local transportation issues that affect both municipalities.
19. Township Building EV Charging Station Upgrade Contract. To approve a contract with Chargepoint, Inc. in the amount of \$22,327.20 for the upgrade of the existing EV Charging stations at the Township to dual output charging units.
20. Approve Citizen Board appointment for the Environmental Advisory Council Student Position.

Board Action:

It was moved by Ms. Kenney, seconded by Mrs. Garzillo, all voting “Aye” to approve the Consent Agenda as presented. None opposed. Motion approved 4-0.

ACCEPTANCE OF RIGHT-OF-WAY – FUTURE PRINCE FREDERICK BLVD.
ACCEPTANCE OF A GRANT OF RIGHT-OF-WAY FROM MONTGOMERY
COUNTY, THROUGH A PORTION OF COUNTY PROPERTY ADJACENT TO
RT. 202 CONTAINING THE CHESTER VALLEY TRAIL EXTENSION, TO
PERMIT THE IMPROVEMENT AND USE OF THE PROPERTY FOR THE
FUTURE PRINCE FREDERICK BOULEVARD.

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting “Aye” to accept the Right-of-Way for the future Prince Frederick Boulevard. None opposed. Motion approved 4-0.

RESOLUTION 2021-22 – PRELIMINARY/FINAL DEVELOPMENT PLAN – JP MORGAN CHASE BANK, 677 W. DEKALB PIKE. CONSIDERATION OF A PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR JM REAL ESTATE HOLDINGS, PREPARED BY THE CORE STATES GROUP, DATED MARCH 2, 2021, LAST REVISED JUNE 30, 2021 FOR THE DEMOLITION OF THE EXISTING 19,820 SF BUILDING AND THE CONSTRUCTION OF A NEW BANK, COMMERCIAL BUILDING AND ASSOCIATED SITE IMPROVEMENTS. (CL COMMERCIAL LIMITED, 1.03 ACRES).

Mr. Hamaday noted that the Board has seen this plan previously on several occasions. He stated that the Board had some concerns with regard to site circulation, the unknown retail building, and the close proximity of the drive-up ATM at the rear. Also, the board had some concerns over stormwater on the site. Chairman Jenaway emphasized two points – that the board is against funds in lieu of trees and the more concerning one is the storage of stormwater in the open spaces under the blacktop area. There have been multiple sinkholes in this area. The applicant's representative, Tom Newman, Corestates Group Engineering, addressed this issue. He told the Board that they hired a licensed GeoTech Engineer which did several studies on the property. The proposed stormwater system is a lined managed release rate system which means that the liner of the system is impermeable and it will not recharge ground water into the existing system - it will detain it and release it at a slower rate into the outfall system which will help to alleviate downstream flooding. This system has been reviewed and approved by Montgomery County Conservation District in accordance with NPDES permitting. It was also noted by Mr. Newman that this system is sized to capture and hold the amount of rain in a 100-year storm.

Mr. Waks suggested a 30-day extension to clean up the stormwater concerns and the requested waivers.

David Falcone, Saul Ewing stated that the proposed stormwater system will be an improvement to what currently exists on the site.

Board Action:

It is moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to accept the 30-day extension from JM Real Estate Holdings/Corestates Group for the proposed plan presented. None opposed. Motion passed 4-0.

RESOLUTION 2021-24 – PRELIMINARY/FINAL DEVELOPMENT PLAN – QUERCUS PROPERTIES (JM WARD & COMPANY), EAST CHURCH ROAD. CONSIDERATION OF A PRELIMINARY/FINAL LAND DEVELOPMENT PLAN FOR JM WARD & CO, PREPARED BY WOODROW & ASSOCIATES, DATED FEBRUARY 16, 2021, FOR THE CONSTRUCTION OF A 44' X 78' POLE BARN ON THE LI ZONED 1.13 ACRE PARCEL.

Board Action:

It is moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2021-24 for the pole barn on East Church Road. None opposed. Motion passed 4-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mrs. Garzillo, seconded by Mrs. Kenney, all voting "Aye" to approve the Accounts Payables for invoices processed from July 8 to August 11, 2021 and Payrolls dated July 9, 2021 and July 23, 2021 for a total of \$4,074,841.76. None opposed. Motion approved 4-0.

ADDITIONAL BUSINESS:

Board Comments:

Chairman Jenaway announced that the County has begun establishing guidelines for county owned buildings with regards to a mask policy when you are inside. The Board is currently reviewing with staff, particularly with regards to the library, community center and the township building to determine an appropriate mask policy. A mask policy will most likely go into effect within the next two weeks.

Chairman Jenaway emphasized to all residents the importance for safety with regards to fireworks.

Supervisor Waks noted the upcoming Jewish holidays Rosh Hashanah and Yom Kipper. He also commented on the second round of BCA funding. These recipients will be announced at the September Business Meeting. Lastly, he stated that at the Upper Merion Community Fair you will be able to buy beer steins. The proceeds go the Upper Merion Township Foundation to help residents in need.

Vice Chairman Kenney announced that the Community Cupboard is running low on supplies so if you can donate some items to the cupboard that would be very helpful. She also noted that due to the recent storm the Gateway Shopping Center was flooded and closed. Flooding is not only an Upper Merion Township problem but a regional problem and thus the emphasis on stormwater management in all future new and re-development in the Township.

Supervisor Garzillo announced the Community Fair is scheduled for October 2, 2021 beginning at 3:00 pm – 8:00 pm – at which time the fireworks will go off. She also mentioned the Fall Festival at Nor-View Farms. The Fall Festival runs all Saturdays and Sundays during the month of October.

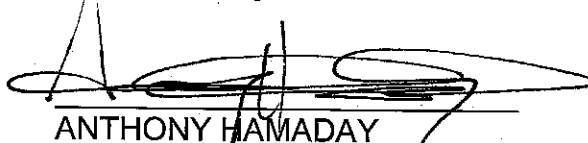
Resident Comments:

Mr. Robert Fredericks, 515 Springbrook Lane addressed the Board. He stated that he is a member of the Board of Directors of Springbrook Homeowners Association. He explained that he and his neighbors suffered thousands of dollars of damage from yesterday's storm. He noted that he came before the board last year asking for help from the Township. Tonight, he is asking the Township to come up with a solution to control the stormwater problems of the township. He wants progress from the Board.

Chairman Jenaway asked Vice Chair Kenney to reach out to Mr. Fredericks and explain more about what the Township is doing with regards to stormwater.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Waks, seconded by Mrs. Garzillo, all voting "Aye" to adjourn the meeting at 9:01 PM. None opposed. Motion approved 4-0. Adjournment occurred.


ANTHONY HAMADAY
TOWNSHIP MANAGER

cd

Minutes Approved:

Minutes Entered:

