

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
BUSINESS MEETING  
FEBRUARY 10, 2022

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, February 10, 2022, 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, Greg Waks, Greg Philips, and Tina Garzillo. Also present were: Anthony Hamaday, Township Manager; Ashton Jones, Twp. Planner; John Walko, Esq., Solicitor's Office and Leanna Colubriale, Township Engineer.

MEETING MINUTES:           September 2, 2021 Workshop  
  November 18, 2021 Business Meeting

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Jenaway, all voting "Aye" to approve the Business Workshop and Meeting minutes of Sept. 2, 2021 and Nov. 18, 2021. None opposed. Motion approved 5-0.

CHAIRPERSON'S COMMENTS:

Chairwoman Kenney mentioned that Septa will have two (2) outreach meeting in the Spring about the new proposed rails, dates have not been set yet. Chair Kenney also expressed her condolence for former Supervisor Edward McBride who passed away on January 29, 2022 at his home. He served as Township Supervisor from 2006 -2011.

NEW BUSINESS

PROCLAMATION CELEBRATION BLACK HISTORY MONTH:

Vice Chair Garzillo read a Martin Luther King Jr. proclamation and the BOS proclaim February 2022 to be Black History Month in Upper Merion Township.

CONDITIONAL USE HEARING:

Solicitor Walko adjourned the Board meeting for the hearing and explained that Malvern Anderson, LP asked for an extension late today to postpone the hearing until March 10<sup>th</sup> meeting on the develop of the old UM Swim Club property off of Anderson Rd. for 49 age restricted unit townhouses. After presenting three (3) exhibits showing that the Township had informed the residents of this project no further notifications is needed for the March 10<sup>th</sup> meeting. Mr. Walko adjourned the meeting to re-enter the BOS meeting again stating that there was no action the BOS had to make.

CONSENT AGENDA:

Before discussing the agenda, Supervisor Philips requested to add the appointment of Mr. Andrew Kang to the Transportation/General Authority.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Jenaway, all voting "Aye" to appoint Mr. Kang to the Transportation/General Authority. None opposed. Motion 5-0.

1. Resignation of Ms. Erika Spott from the Farmer's Market Advisory Board.
2. PA Act 101 Recycling Reporting & Grant Application Contract – Hough Associates. To approve an annual contract with Hough Associates, KOP, PA for the preparation of the Township's Act 101 annual PA DEP Section 904 Grant Report and Application for the year 2021 in the amount of \$17,500.00.
3. Resolution 2022-11 re: Summit Street Accepting Deed – In-Lieu of Condemnation. To pass a resolution accepting a deed- in- lieu of condemnation as agreed to by the owner for the property known as block 055, unit 109 summit street and also known as Montgomery County tax parcel number 58-00-18451-01-3.
4. Annual Upper Merion Pool Concession Stand Lease – To approve a one (1) year lease term with a four (4) consecutive renew options with The Hedgehop Grill, KOP, PA, for the concession stand and patio area at the Community Pool, subject to the terms outlined in said lease.
5. Business Tax Appeal Settlement – Famous George's, 100 E. Beidler Road. To approve a Business Tax Appeal settlement with Famous George's Pizza, 100 E. Beidler Road in the amount of \$2,575.00 (tax and penalty) for the tax years 2019-2021.
6. Deputy Tax Collector Approval – To approve the appointment of Bonny Davis by the Upper Merion Tax Collector as Deputy Tax Collector pursuant to the PA Local Tax Collection Law.
7. Crow Creek Trail Project Contract Payment # 14 in the amount of \$130,669.17 to Kenney Excavating for work to date on the Crow Creek Trail Project.
8. Financial Escrow Security Release No. 5, Horizon Drive Group, LP, 3700 Horizon Drive. Approval of Escrow Release No. 5 to Horizon Drive Group, LP in the amount of \$116,251.89 for the completion of required site improvements to date as part of the building expansion project as recommended by the Township Engineer.
9. Land Development Plan Review Extension – VIMCO, Inc. Accept letter of extension from VIMCO, Inc. for the review of the proposed Land Development Plan.
10. Resolution 2022-13 re: Montgomery County 2040 Implementation Grant Application – First Avenue Linear Park, Phase III, \$200,000.00. Authorization for the Township Manager, in conjunction with the KOP BID, to submit a Montco 2040 Grant Application in the amount of \$200,000.00 for Phase III of the First Avenue Linear Park Project.
11. Financial Escrow Security Release No. 12, 900 River Road LLC, 900 River Road – Approval of Escrow Release No. 12 to 900 River Road LLC in the amount of \$88,365.13 for the completion of required site improvements to date as part of the warehouse development project as recommended by the Township Engineer.
12. Appointment of Andy Kang to the Transportation/General Authority.

Board Action:

It was moved by Supervisor Waks, seconded by Vice Chair Garzillo, all voting "Aye" to approve the Consent Agenda. None opposed. Motion approved 5-0.

RESOLUTION 2022-08 re: Supporting the PA Commission for the US Semi-Quincentennial (America250PA) - To pass a resolution to support and work with AMERICA250PA on any and all activities as appropriate within Montgomery County, PA for the celebration of the United States semi-Quincentennial.

Board Comments:

Supervisor Philips read Resolution 2022-08 explaining that the United States as well as Pennsylvania along with PA Counties have adopted this Resolution to commemorate, educate and celebrate every Pennsylvania in Upper Merion Township, Montgomery County, PA and the United States.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Jenaway, all voting "Aye" to approve Resolution 2022-08 US Semi-Quincentennial (America250PA). None opposed. Motion approved 5-0.

RESOLUTION 2022-12: Authorization to sign PennDOT Traffic Signal Permit Application. Submission of a Permit Application (TE-160) for a proposed mid-block pedestrian flashing beacon signal at 900 River Road to provide access to the SEPTA transit stop locations.

Mr. Anthony Hamaday, explained why PennDOT required the developer to include a pedestrian crossing at the two (2) SEPTA stops at 900 River Road and across the street from GSK. This authorizes UMT to submit an application to PennDOT for approval of the pedestrian crossing.

Board Action :

It was moved by Supervisor Jenaway, seconded by Supervisor Waks, all voting "Aye" to approve Resolution 2022-12. None opposed. Motion approved 5-0.

RESOLUTION 2022-04: Preliminary/Final Development Plan – JP Orleans, Mancill Mill Road. Consideration of a preliminary/final land development plan for JP Orleans, Mancill Mill Road, prepared by Edward B. Walsh & Associates, Inc., dated August 9, 2019, last revised March 25, 2021 for the construction of a 119-unit townhouse development and associated site improvements, including waivers as outlined in said resolution. 14.4 acres, SM-1 Zoning District.

Mr. Hamaday and Solicitor Walko explained the request of the developer's preliminary plans to be approved for the development of 119 Townhouses under the condition that the developer performs the intersection improvements on Mancill Mill and Valley Forge Roads.

The developer also has to pay the \$250,000.00 Act 209 fee which can be paid in four (4) installments as the homes are constructed and cars start occupying the roads. Also discussed was a playground/tot lot that will be developed along with two (2) emergency access pass ways on both sides of the property.

The developer is in discussions with the Sewer Authority and Valley Forge Towers Association about the emergency access. The developer asked for three (3) waivers to be discussed at a later date and will drop all other waiver requests.

Board Comments:

Supervisor Waks excused himself from voting due to him residing at the Valley Forge Towers. Vice Chair Garzillo asked where the playground would be built and if there would be parking available, she also asked for confirmation that the HOA will take care of all maintenance of the street and grounds along with the buildings. There was also a discussion about adding additional parking spaces due to no parking allowed on the street and a temporary traffic light will be installed and Valley Forge and Mancill Mill Roads.

Board Action :

It was moved by Supervisor Jenaway, seconded by Supervisor Philips, all voting "Aye" to approve Resolution 2022-04, with Supervisor Waks abstaining as stated above. Motion approved 4-0-1.

RESOLUTION 2022-05: PA Act 537 Sewage Facilities Planning Module – Mancill Mill Road Townships Development – JP Orleans. Authorization for the proper township officials to PA DEP Sewage facilities Planning Modules for the subject property as a proposed revision to the Township's Official Sewage Facilities Plan.

Mr. Hamaday explained why the Township has to amend their 537 Plan to allow the developer to connect 119 Townhomes to our sewage station and for the proposed pump station that the developer will be installing. Supervisor Philips asked if this would be included in Chapter 94 and Mr. Hamaday said it is and will be handled by our engineers, Arro Consulting Inc.

Board Action :

It was moved by Supervisor Philips, seconded by Vice Chair Garzillo, all voting "Aye" to approve Resolution 2022-05. None opposed. Motion approved 5-0.

RESOLUTION 2022-09: Authorization to Move Forward with 2022 General Obligation Bond Issuance. Consideration of Resolution No. 2022-02 authorizing the proper township officials and consultants to undertake action necessary with respect to the proposed issuance of General Obligation Bonds in order to provide funds to finance certain capital projects, real estate acquisitions and the purchase of capital equipment.

Mr. Hamaday explained by the BOS accepting this Resolution it authorizes the proper Township Officials to move forward with the Bond issue, allowing them to prepare the documents, ordinances and to advertise.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to approve Resolution 2022-09. None opposed. Motion approved 5-0.

RESOLUTION 2022-10: Borrowing Proceeds Reimbursement for 2022 Capital Project Expenses. Consideration of Resolution No. 2022-10 to provide reimbursement to the Township for expenses incurred for the proposed 2022 capital projects, from the proceeds of any bonds, notes or other instrument issued for he projects as outlined in said resolution.

Mr. Hamaday explained that this Resolution will allow the Township to reimburse itself on projects that have already been identified and approved, so the Township can borrow from the Capital Budget if a project has to start before the Bond is issued. Once the Township receives the Bond they will reimburse the Capital Budget account.

Board Action :

It was moved by Supervisor Jenaway, seconded by Vice Chair Garzillo, all voting "Aye" to approve Resolution 2022-10. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Supervisor Jenaway, seconded by Supervisor Philips, all voting "Aye" to approve the Accounts Payables for invoices processed from January 6, 2022 through February 2, 2021 and Payrolls dated January 7, 2022 and January 21, 2022 for a total of \$4,053,014.29. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Supervisor Waks explained the Board of Community Assistance Program and said that applications are now being accepted. More information is available on the Township website.


Chairwoman Kenney introduced our new Township Planner Ashton Jones.

PUBLIC COMMENTS:

Resident Mr. John Daino thanked Mr. Hamaday for spending time with him going over plans for a large home being built next to his property on Hobbs Road. Mr. Daino asked if Leanna Colubriale, Twp. Engineer could review the plans as he had questions regarding steep slopes and the grading of the property. Mr. Hamaday said that Ms. Colubriale did review the plans that she received from the design engineer. Supervisor Jenaway asked who will be monitoring this construction site since the grading is very close to the deep slope limits. Mr. Hamaday said the Mark Zadroga, Director of Codes and Montgomery County will be inspecting the construction. Chairwoman Kenney said that two (2) engineer companies agree the plan is in compliance and the Township did their due diligence in this matter.

**ADJOURNMENT:**

There being no further business to come before the Board, it was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to adjourn the meeting at 9:48 PM. None opposed. Motion approved 5-0. Adjournment occurred.



ANTHONY HAMADAY  
TOWNSHIP MANAGER

lr  
Minutes Approved:  
Minutes Entered: