

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
OCTOBER 20, 2016

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, October 20, 2016, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:37 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Greg Waks, Bill Jenaway, and Carole Kenney. Also present were: David Kraynik, Township Manager; John Walko, Township Solicitor's Office; Kyle Brown, Associate Planner; Isaac Kessler, Township Engineer, Angela Caramenico, Assistant to the Township Manager. Supervisor Spott was absent.

MEETING MINUTES:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve the September 8, 2016 Workshop Meeting Minutes and the September 15, 2016 Special Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRMAN'S COMMENTS:

Chairman Jenaway stated there was a meeting this morning with the chairs of the various citizen boards and commissions for an update by the King of Prussia Business Improvement District on their various initiatives. Prior to this meeting an Executive Session was held dealing with personnel and litigation.

NEW BUSINESS

PRESENTATION OF GUTKOWSKI TOWNSHIP FIREFIGHTER OF THE YEAR AWARD TO MATT CURLL FROM SWEDESBURG VOLUNTEER FIRE COMPANY

Chief Fire Marshal John Waters asked Supervisor Carol Kenney and members of the local fire and EMS service to participate in honoring *The Firefighter of the Year*, Matt Curll, Swedesburg Volunteer Fire Company for his sacrifice and service. Lt. Curll is a 9-year member of the Swedesburg Fire Company. His responsibilities include mentoring younger members, coordinating their weekly training program, and managing their personal protective equipment program.

Mr. Waters pointed out our volunteer service in Upper Merion Township saves approximately \$13,654,000 every year.

PRESENTATION OF THE MARY BACCHI EMERGENCY MEDICAL SERVICES RESPONDER OF THE YEAR AWARD TO KIMBERLY MCGRATH FROM LAFAYETTE AMBULANCE SQUAD

Mr. Waters stated this year marks the fourth awarding of the Mary Bacchi Emergency Medical Services Responder of the Year Award named after Mary Bacchi who was a longtime member of Lafayette Ambulance. Chief Waters asked Darryl Bacchi and his sister to participate in presenting this award. The Emergency Medical Services Responder of the Year Award was presented to Captain Kimberly McGrath who is a 13-year member of Lafayette Ambulance Squad. She has the responsibility for mentoring younger members and is a staff supervisor and a preceptor teaching the traditions and the processes. In addition, Captain McGrath assists in paramedic and EMT training and is a full time paramedic with the Narberth Ambulance Service, truly demonstrating her

love for helping others.

PRESENTATION RE: FIRE & RESCUE APPRECIATION AWARDS

Prior to the awards presentation, Mr. Waters stated the 24 individuals receiving awards at this meeting represent 350 years of donated volunteer service to the community.

On behalf of the Board of Supervisors and all the people of the township, Mrs. Kenney expressed appreciation to our dedicated fire and rescue personnel who support the community with the resources needed to answer the calls, save lives and protect property. She encouraged citizens to be generous in donating to their local emergency services.

Mr. Jenaway provided statistics on the number of volunteers in Upper Merion's emergency services who are willing to sacrifice hundreds of hours each year devoted to firefighting and emergency services.

CONSENT AGENDA RE:

1. Budget Transfers re:
 - a. PW Transportation Division – Increased service repairs for equipment failures - \$12,000.00
 - b. PW – Vehicle Maintenance - \$4,000.00
2. Equipment Replacement Requests re:
 - a. PW – Additional work to repair Township Building roof - \$25,000.00
 - b. Repair and Upgrade UMGA Equipment - \$13,000.00
3. Resolution 2016-40 re: Disposition of Township Computer Equipment
4. Resolution 2016-41 re: Multimodal Transportation Fund Grant Application for \$1,845,519.00 to be used for the Crow Creek Trail Project
5. Approve Memorandum of Understanding with PennDOT for the retiming of traffic signals on S. Gulph Road between Bill Smith Boulevard, Shoemaker, and Weadley Roads
6. Accept the Park and Recreation Master Plan
7. Resolution 2016-42 re: Disposition of Township Records
8. Authorization for Township Solicitor to sign Settlement Stipulations re:
 - a. Philadelphia Media Network, 800 River Road
 - b. NYLMD (Home Depot), 181 S. Gulph Road
 - c. Brandywine Partnership, 600 Park Avenue
9. Resolution 2016-43 re: PA Small Water and Sewer Program Grant Application in the amount of \$32,733.00 to be used for the Trout Run Interceptor Bank Rehabilitation Project

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve the Consent Agenda as submitted. None opposed. Motion approved 4-0.

CONDITIONAL USE HEARING RE: O'NEILL PROPERTIES GROUP; 2901 RENAISSANCE BOULEVARD; 300-UNIT MF RESIDENTIAL BUILDING; 10.928 ACRES, SM-1

Mr. John Walko, Solicitor's Office, adjourned the public meeting and reconvened into the conditional use hearing which was continued from September 15, 2016. He stated at that time questions were submitted from the public for the protestant's witness, Brian Keaveney, traffic engineer, Pennoni Associates. The hearing resumed at this point in the proceeding.

Jessica Plechner, 260 Lawndale Avenue, asked if consideration was given to the proposed school development and the impact on traffic. Mr. Keaveney responded when the Pennoni study was done the school development was not known at that time so it was not included.

Patricia Cunnane, 250 White Avenue, asked how pedestrian activity will be handled if the school property develops. Mr. Keaveney responded this would be addressed as part of any land development associated with that property.

April Uhlenburg, said she was trying to understand need for the Renaissance Boulevard/Crooked Lane connector and if it is required for the Transit Oriented Development. Mr. Keaveney responded some type of connection to the transit parking lot would be recommended since it would be more efficient for people destined to and from the train station to access the parking lot without traveling a long distance.

Ms. Uhlenburg asked about the land use around the intersections where there is an improvement. Mr. Keaveney responded there is a mix of land uses. He said they looked at about 22 intersections and many of them are in residential areas that will improve.

Ms. Uhlenburg questioned if any discussions were held with SEPTA and PennDOT. Mr. Keaveney responded SEPTA has not been a party to the traffic aspect of this study. He said PennDOT was consulted at the time about the potential connection and they said they would review it when and if an application for the connection was made.

Patti Erickson, 536 Lawndale Avenue, asked about the "swoosh" and the length and adequacy of the left turn lane for the queue levels. Mr. Keaveney responded the sketch was prepared to scale by another engineer but estimated the left turn lane is 75-80 feet.

Ms. Erickson asked if a study was ever done on the impact of traffic on feeder roads. Mr. Keaveney responded when Pennoni looked at the existing condition without the connection they focused on some of the key intersections that would be impacted with the connection.

Mr. Michael Sheridan asked clarifying questions regarding certain comments that occurred during cross examination by Mr. Rob Erickson. Mr. Keaveney responded the table in question shows that intersection improves and not deteriorates. He said without the connection the future traffic scenario at that intersection will be worse than with a connection. Once the connection is made the anticipated traffic diversion at that intersection will be one of the intersections that benefits from the redistribution of traffic.

Mr. Sheridan asked Mr. Keaveney a series of questions regarding the level of service at Yerkes Road, Crooked Lane and Holstein Road and improvements that could be made to Yerkes Road and Crooked Lane to improve the level of service.

Mr. Sheridan followed up on Mr. Erickson's previous questions concerning the train station users who park on Yerkes Road. He asked Mr. Keaveney for his observations on the parking capacity on Yerkes Road for users of the train station. Mr. Keaveney responded on the south side shoulder of Yerkes Road there have been 13-18 vehicles parked there. It was noted there are no marked

spaces and the number of vehicles depends on where people park and how much room they leave.

Mr. Jenaway asked Mr. Campbell to summarize the actual proposal for conditional use. Mr. Campbell responded the application is pursuant to a provision in the township's ordinance which allows for residential development in this particular zoning district on the condition that it is within close proximity to a train station so that it is a Transit Oriented Design. He stated his client has met the elements of that ordinance for conditional use approval in order to proceed to the next step which is land development.

Mr. Jenaway stated that conditional use is for the structure of the building itself. Mr. Campbell responded in the affirmative.

Mr. Walko opened the hearing for public comment which he indicated should be limited to address this conditional use application not the actual land development itself.

Russ Patton, commented about the impact of a school that could be built and that this should be looked at much closer upon consideration of this application.

John Schwartz, 2540 Renaissance Blvd., owner occupant of the building in Renaissance Corporate Center, submitted a letter written by his partner in May 2011. They are in favor of the connection to Crooked Lane from Renaissance for additional emergency access into the park and also for ingress and egress.

Patricia Buard, 193 Holstein Road, questioned whether it should be a transit oriented development since she feels most of the people renting the apartments are probably not going to use the high speed line very often. She also said traffic will be much worse.

Patricia Cunane, 250 White Avenue, expressed concern about visibility over the bridge.

Phil Pasquarello, 237 Lawndale Avenue, commented about the EPA investigation. He said the EPA anticipated no residential use and now they have to reevaluate this site.

Mr. Jenaway asked for more clarification about the EPA documentation. Mr. Walko responded that would be something brought up regarding the site during the land development process if the conditional use was approved.

Mr. Campbell stated nothing in the [EPA] report is inconsistent with the environmental experts who presented testimony.

Dennis Rathore, Philadelphia Avenue, commented most of the EPA review is for a non-residential commercial complex. He also noted Crooked Lane is not that wide a road for any road improvements and he does not think a road is a good idea.

Pete Ciaramello, 519 Philadelphia Avenue, expressed concern about the entity that would have responsibilities for this intersection at a later time as well as concern regarding the turning restrictions on certain roads in the area.

Rob Erickson, 536 Lawndale Avenue, said he personally took a sampling count of the cars parking on Holstein, Yerkes and Philadelphia Avenue which numbered 18 and the most counted on a given day was 24 cars. It was also noted most of the people are employees of surrounding companies who are walking and not driving to the train station. Mr. Erickson also expressed doubt about room for a roundabout which Mr. Keaveney previously mentioned.

Patricia Hoffman, 225 Lawndale Avenue, commented about traffic being directed into residential areas and concerns about pedestrian access in that area.

Linda Quam, 289 Lawndale Avenue, provided the results of her personal survey of where users of the train station are coming from.

Richard Dougert, 990 Trinity Lane, expressed concern over the development's buildout on the neighborhood and traffic in that area.

Mark McKee, 1091 Jones Road, provided a summary of the right to know request he submitted to the township's traffic safety unit for traffic accidents at the intersections of Crooked Lane and Yerkes Road, Yerkes Road and Crooked Lane and also Swedeland Road and Trinity Lane and Trinity Lane and Swedeland Road. In the 12 years from 2003 to the end of 2015 there were 12 non-reportable accidents. It was noted most of the 12 non-reportable accidents were not at the intersection, but near the intersection.

Mr. McKee referenced Mrs. Kenney's question at the first hearing with regard to the 87 parking spaces in the existing lot serving as overflow parking for 2701 Renaissance. Mr. McKee said Mrs. Kenney was correct in that it is routinely used quite a bit through today. He noted there is insufficient parking at 2701 without that lot and the question becomes how that will be available for public parking for Hughes Park SEPTA station ridership if it is already being used.

Mr. McKee read the January 20, 2016 letter from the Montgomery County Planning Commission on the issue of transportation and connectivity.

Mr. Waks wanted to make clear his comment about the "swoosh" at the last conditional use hearing and the likelihood of more accidents in general situations when the road was unfamiliar or different from a standard road.

Vicky Walsh, 257 Lawndale Avenue, commented regarding the pedestrian traffic at Crooked Lane and prefers the "swoosh" at Trinity since there are fewer pedestrians at that location.

Rick Boyer, 274 Lawndale Avenue, commented on the burst of development projects in Upper Merion Township. He does not believe another 300-unit apartment is necessary at this time.

Eric Lazar, 323 Winding Way, expressed appreciation to the developer for not suggesting a connector to Crooked Lane.

Without further comment from the public, Mr. Walko closed the testimony.

A discussion followed as to the process and timing for rendering Finding of Fact and Conclusions of law.

Mr. Walko closed the hearing and reconvened into the public meeting.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to approve the Accounts Payable for invoices processed from September 14, 2016 to October 12, 2016 in the amount of \$1,055,619.05 and the Payroll for September 23, 2016 and October 7, 2016 in the amount of \$1,429,395.30 for a total of \$2,485,014.35. None opposed. Motion passed 4-0.

ADDITIONAL BUSINESS

FIRE AND RESCUE SERVICE AWARDS

Mr. Philips offered his congratulations to the fire and rescue service award recipients and expressed appreciation for their exceptional work on behalf of the community.

HALLOWEEN PRECAUTIONS

To help ensure children and adults have a safe and enjoyable Halloween, Mr. Philips offered some safety reminders for trick-or-treating.

POLLING LOCATIONS

Mr. Philips reminded citizens to check their polling locations prior to Election Day. If anyone needs help finding their polling station the Montgomery County Board of Elections will be able to assist.

ABSENTEE BALLOT

Mr. Waks said absentee ballots are available for those who are away or unable to go to a polling location. He provided details on where to obtain an absentee ballot.

THREE-DAY PASS FOR NEW COMMUNITY CENTER

Mr. Waks called attention to the recent *Township Lines* featuring a special Community Center edition with a three-day pass to use these new facilities free of charge. It was noted there are now over 1,200 people enjoying the Community Center and he thanked everyone for their support.

SKATEPARK UPDATE

Mrs. Kenney provided an update on the Daniel T. Kellett Skatepark indicating construction is complete and work is now being done on landscaping and fencing.

FARMERS MARKET

Mrs. Kenney reminded everyone of the Farmers Market on Saturday.

\$1 MILLION GRANT FOR COMMUNITY CENTER

Mr. Jenaway announced a \$1 million grant has been awarded for the Community Center by the Pennsylvania Redevelopment Assistance Capital Program (RACP) grant. The funds will be used to continue the renovation of the Community Center complex including improvements to roadways, pedestrian walkways and the township swimming pool. It was noted the Community Center was completed under budget and is already exceeding projections for membership. Mr. Jenaway expressed appreciation to State Senator Daylin Leach and State Representative Tim Briggs for their successful efforts to obtain the RACP grant.

POLICING FORUMS

Mr. Jenaway provided details about the community policing forums hosted by the Upper Merion Police Department throughout the month of October. The sessions will be aired on UMGA-TV.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 4-0. Adjournment occurred at 10:11 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered