

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
FEBRUARY 16, 2017

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, February 16, 2017, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:42 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Bill Jenaway, Carole Kenney and Erika Spott. Also present were: David Kraynik, Township Manager; Joe McGrory, Township Solicitor; Rob Loeper, Township Planner; Tom Beach, Township Engineer; Sally Slook, Assistant Township Manager, and Angela Caramenico Assistant to the Township Manager. Supervisor Waks was absent.

MEETING MINUTES:

It was moved by Mr. Philips, seconded by Mrs. Spott, all voting "Aye" to approve the January 5, 2017 Workshop Meeting Minutes and January 26, 2017 Business Meeting Minutes as submitted. None opposed. Motion approved 4-0.

CHAIRMAN'S COMMENTS:

Chairman Jenaway stated an Executive Session was held prior to this meeting regarding personnel matters.

NEW BUSINESS

PRESENTATION RE: BOARD OF COMMUNITY ASSISTANCE

Lydia Dan Sardinas, 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.
- When the BCA began its work in 2013 there were 41 applications (33 organizations and 8 scholarships). In 2014 the applications increased to a total of 95 (62 organizations and 33 scholarships). In 2015 the BCA received 105 applications (65 organizations and 40 scholarships). In 2016 the BCA received a total of 95 applications with a total of 65 awarded.
- In 2013, there was \$145,000 available in funding and \$128,000 was awarded; in 2014, \$160,000 available in funding and \$154,441 was awarded; in 2015, \$154,000 available in funding and \$148,334 was awarded, and in 2016 there was \$153,000 available in funding and \$152,273 was awarded.
- In the application process it is important to express what projects will be done to give back to the community

Ms. Dan Sardinas discussed the application process. Highlights as follows:

- The scholarship application is for any deserving Upper Merion high school senior.
- As with any application academics are considered, but the BCA places a great emphasis on the community service aspect and it must be a new project, not a senior project. Senior projects are finished by the end of the school year and BCA projects must start after June 1st. Project must be

completed by December 2017. Confirmation of completion of the project is required.

- A specific number of community service hours is required according to the amount of the scholarship.
- Award amounts are \$1,000; \$2,000; \$3,000; Ron Wagenmann scholarship for \$5,000 and a General von Steuben scholarship for \$10,000
- Application deadline is March 15, 2017.

Mr. Jenaway expressed appreciation to everyone involved in the BCA application process.

CONSENT AGENDA RE:

1. Resolution 2017-9 re: Disposition of Township Property to Auction
2. Five-year contract with Taser International for new police tasers at a cost of \$10,416.00 per year
3. Agreement for the design and building of a new township website for \$16,500.00 to New Concepts Online, Inc. as recommended by the Media Communications Advisory Board
4. Resolution 2017-11 re: Authorize the Filing of a Redevelopment Assistance Capital Program (RACP) application from the Commonwealth of Pennsylvania for a \$1 million dollar grant to be used for the Upper Merion Community Center (*grant has already been received and this is for associated paperwork*).
5. Authorization for the Solicitor to sign Settlement Stipulation re: D&P Associates, 119 E. DeKalb Pike, Tax Parcel No. 58-00-06277-00-1
6. Approve Extension Letters re:
 - a. Gulph Elementary School through 3/31/17
 - b. Mancill Mill Development Plan through 3/31/17
7. Authorize use of \$12,449.06 from the Fire Apparatus Replacement Fund Catastrophic account for Emergency Repairs to Fire Unit Squad 47.
8. Authorize the Solicitor to Sign Settlement Stipulation with Broadview Networks, Inc.

Board Comment:

With regard to agenda item #2, Mrs. Kenney mentioned she asked Chief Tom Nolan about this and was informed this is a lease purchase of 28 tasers with a full five-year warranty. At the conclusion of that time the decision can be made to keep the tasers or enter into a new contract for additional tasers.

Board Action:

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

PUBLIC HEARING RE: REQUEST FOR INTERMUNICIPAL TRANSFER OF LIQUOR LICENSE TO EDDIE V'S HOLDINGS, LLC, WEST DEKALB PIKE, KING OF PRUSSIA, PA, RESOLUTION 2017-10

Mr. Joe McGrory, Township Solicitor, opened the hearing and introduced into the Record Board Exhibit 1, proposed resolution granting approval of the transfer; Board Exhibit 2, January 25, 2017 letter to the Township requesting the

hearing; Board Exhibit 3, Legal Notice of the Public Hearing; Board Exhibit 4, Proof of Publication showing advertisement dates of February 2 and February 9, 2017.

Ellen Freeman, Flaherty and O'Hara, representing Eddie V's, a subsidiary of Darden Restaurants, stated the applicant is requesting approval of a resolution approving an Inter-municipal transfer of a restaurant liquor license from Horsham Township to Eddie V's restaurant located at 680 West DeKalb Pike, King of Prussia, Pennsylvania.

Ms. Freeman indicated Eddie V's will offer a fine dining concept featuring seafood and center cut steaks with an extensive wine menu. The restaurant will also feature daily live jazz music in the V Lounge which is Eddie V's casual dining area.

Construction of this restaurant will begin in mid-October 2017 with a projected opening date of June 2018. The hours of operation are Monday-Thursday from 5 p.m. to 10 p.m.; Friday-Saturday from 5 p.m. to 11 p.m. and Sunday from 4 p.m. to 9 p.m.

Ms. Freeman explained the alcohol last call which occurs after the closing hour.

Mr. McGrory asked Ms. Aubrey Kenny, Manager of Training and Development at Eddie V's restaurants, to confirm Ms. Freeman's statements to be true and accurate. Ms. Kenny responded in the affirmative.

Hearing and seeing no further comment from the Board of Supervisors and public, Mr. McGrory adjourned the hearing and reconvened into the public meeting portion of the agenda placing the resolution in a position for the consideration by the Board of Supervisors.

Board Comment:

Mrs. Kenney asked about the specific location of the proposed Eddie V's restaurant. Mr. Philips clarified and provided nearby local business landmarks to clarify.

With regard to anticipated land development plans for Eddie V's, Mr. Jenaway mentioned two other buildings further east on DeKalb Pike and expressed the hope that the design, setback, architecture and landscaping is much more amenable to what the Board of Supervisors would like to see on DeKalb Pike. Ms. Freeman said she would pass that information along.

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2017-10. None opposed. Motion approved 4-0.

GLAXOSMITHKLINE DEVELOPMENT PLAN; 709 SWEDELAND ROAD, CONSTRUCTION OF A NEW CENTRAL UTILITY PLANT (CUP), HI-DISTRICT, 258 ACRES, RESOLUTION 2017-8; *Plan Expiration 4/11/17*

Utilizing the aerial, Mr. Rob Loeper, Township Planner, pointed out various buildings on the GSK campus that have been the focus of some recent development activity.

Mr. Loeper stated this plan calls for the construction of a 35,000 square foot Central Utility Plant and an associated stormwater management rain garden at the corner of Swedeland Road and River Road. In addition, other stormwater management facilities will include some underground detention. It was noted this is the older portion of the GSK property much of which was built at a time that

stormwater management was not a great concern or regulated. Over the years as GSK has come in with new plans they have upgraded all of the stormwater management in accordance with current code and met the more stringent township codes as well as DEP recommendations.

Many of the utilities serving GSK's East Campus have reached or exceeded their useful life. The urgency is to build the new facility and centralize everything.

Mr. Jenaway stated the Upper Merion Planning Commission had no issues with this plan.

Mr. Peter C. Anderson, P.E., Anderson Engineer, stated his firm prepared the plans that are currently under review. He indicated the applicant is in receipt of and will comply with the Township Engineer's letter of January 16, 2017. Revised plans will be submitted responding to the review letter tomorrow.

Mr. McGrory asked Mr. Anderson if he has seen the resolution. Mr. Anderson responded in the affirmative and indicated GlaxoSmithKline is in agreement with the resolution.

Board Action:

It was moved by Mrs. Kenney, seconded by Mrs. Spott, all voting "Aye" to approve resolution 2017-8. None opposed. Motion approved 4-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Philips, seconded by Mrs. Spott, all voting "Aye" to approve the Accounts Payable for invoices processed from January 19, 2017 to February 8, 2017 in the amount of \$686,146.87 and the Payroll for January 20, 2017; January 27, 2017 and February 10, 2017 in the amount of \$1,653,779.09 for a total of \$2,339,925.96. None opposed. Motion passed 4-0.

ADDITIONAL BUSINESS:

COMMUNITY CENTER GREAT PICTURE OF DIVERSITY

Mr. Philips commented on the wonderful addition of the community center to all that Upper Merion has to offer our richly diverse community. He congratulated the park and recreation staff for their hard work and dedication in getting the community center up and running so remarkably well. Mr. Philips also recognized the many residents who are taking advantage of this community asset which is here for all to enjoy.

From the Public:

Mary Ann Hooper, member of the King of Prussia Historical Society, expressed appreciation to the Board of Community Assistance for helping to fund their project for a local history book which has been distributed to schools, teachers and libraries. The Society has also embarked on a project to identify remaining historical structures and locations in the township to make sure their history is well documented.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mrs. Kenney, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 4-0. Adjournment occurred at 8:17 p.m.

DAVID G. KRAYNIK
SECRETARY-TREASURER
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered