

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
JULY 18, 2019

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, July 18, 2019, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:48 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Waks, Bill Jenaway, Greg Philips, Carole Kenney, and Tina Garzillo. Also present were: Anthony Hamaday, Township Manager; John Walko, Solicitor's Office; Rob Loeper, Township Planner; Tom Beach, Engineer's Office.

MEETING MINUTES:

It was moved by Mr. Jenaway, seconded by Mrs. Kenney, all voting "Aye" to approve the following meeting minutes: June 6, 2019 Zoning Workshop and June 6, 2019 Supervisor's Workshop as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Mr. Waks also stated that a brief executive session was held prior to this meeting to discuss a legal and personnel matter and post this meeting there will be a legal session to discuss legal and personnel matters.

NEW BUSINESS

SWEARING IN OF ANTHONY HAMADAY AS UPPER MERION TOWNSHIP MANAGER BY DISTRICT JUSTICE JAMES GALLAGHER

District Justice James Gallagher officiated at the swearing-in ceremony for Anthony Hamaday to new Township Manager.

CONSENT AGENDA RE:

1. RFP re: Seek Bids for Potential Sale of Sewer System
2. Equipment Replacement re:
 - a. Trout Run – No. 2 Vertical Turbine Solids Handling Pump - \$54,327.00
 - b. Trout Run – Effluent Meter - \$22,000.00
3. Approval of the Rules and Regulations of the Human Relations Commission
4. Awarding of Bids re:
 - a. 2019-2020 Montgomery County Consortium Fuels Contract to Petroleum Traders Corporation at the bid amount of \$8,449,508.41
 - b. Emergency Sinkhole Repairs and Services Contract to Scavello and Sons, LLC at the bid amount of \$7,886.88
 - c. 2019 Upper Merion Township Road Program to Glasgow, Inc. at the bid amount of \$590,274.00
5. Approve Waiver of Permit Fees for Fire Station 56
6. Appoint Project Manager for the 2nd Floor Mezzanine at the Fire Station at the Village of Valley Forge
7. Appoint Architect for the 2nd Floor Mezzanine at the Fire Station at the Village of Valley Forge
8. Approve Condominium Unit Purchase Agreement for the Fire Station at the Village of Valley Forge
9. Appointment to Shade Tree Commission – Jennie Ryan-Gisewhite
10. Authorization to Advertise – Change to Ordinance, Section 145-10 re: Street Standards

11. Acceptance of Extension Request – UM High School Development Plan: 440 Crossfield Road
12. Acceptance of Extension Request – Top Golf Development Plan: 588 N. Gulph Road to August 16, 2019
13. Permission to Bid or Purchase through State Contract re: Compost Scale
14. Budget Transfer re: Increase in Debris Removal from Nor-View Farm and Roadside Debris Collected in the amount of \$6,000.00

Board Action:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting “Aye” to approve the Consent Agenda as presented. None opposed. Motion approved 5-0.

Public Comment:

Mr. Mike Napolitan from 260 Garrison Way expressed his concerns and asked for clarification regarding Item 1 and Mr. Waks clarified that this is not a sale but a request for bids. It was also noted by Mr. Philips that this matter was brought up about a year ago when he was Chairman and Mr. Waks also stated that it took a long time to get to this process. Ms. Kenney stated she agreed with Mr. Napolitan’s concerns however it is the Board of Supervisors duty to look into it and find out what the facts are. Mr. Jenaway also stated that all the concerns Mr. Napolitan mentioned were discussed in detail during the deliberations with the consultants. Mr. Philips stated that the Township employees operate the sewer plant and maintain the system but the Sewer Authority has the job of funding through bond issues the capital improvements that go on as well as the Township General Operating Authority through the sewer fee that is paid twice a year. In regards to Item 6, 7 and 8 Mr. Napolitan asked for clarification and Mr. Walko stated that as part of the Settlement Agreement on the Village at Valley Forge, Realen was obligated to provide a firehouse and they are doing that through the Condominium Purchase Agreement, Item 8, however the Township desires to have additional items within that firehouse that were not part of that agreement and that is what requires the need for a project manager, Item 6, and an architect, Item 7. Mr. Rapine, Ms. McElwain, Mr. McNally and Mr. Brown also shared their similar concerns regarding Item 1.

PUBLIC HEARING RE: AN ORDINANCE AMENDING THE UPPER MERION TOWNSHIP HUMAN RELATIONS ORDINANCE NO: 2012-808, CHAPTER 100, TO PROVIDE FOR TWO ALTERNATE HUMAN RELATIONS COMMISSION MEMBER POSITIONS

Mr. Walko opened the hearing by introducing the following Exhibits: Board Exhibit 1 is the Ordinance itself; Board Exhibit 2 is the Legal Notice that was Published for Tonight’s Hearing; Board Exhibit 3 is the Proof of Publication of Tonight’s Hearing in the Times Herald which was Published on July 9, 2019; Board Exhibit 4 is Proof of Submission of this Proposal Ordinance to the Montgomery Law Library on July 12, 2019. Mr. Walko gave a brief background of the creation of the Human Relations Commission. There are five members on the commission. The Commission is tasked on handling certain complaints that may be made under the Ordinance such as discriminatory or alleged discriminatory acts. It became known to the Commission that there is a need for alternate members because if a member is involved in a mediation of a dispute or involved in an investigation of one of those disputes they are then unable to sit on that Board if that complaint goes to a hearing. The Commission would then be short members and so it was recommended that two members be appointed in case there was such a conflict or if there is just a need to have them. This Ordinance is an Ordinance Amendment to the original Chapter 100 Human Relations in order to have the opportunity to appoint two potential vacancy members. With no

further comment from the Board or public, Mr. Walko closed the public hearing, adjourned back into the public meeting and stated this ordinance is now in the position to be voted upon by the Board.

Board Action:

It was moved by Mr. Philips, seconded by Ms. Garzillo, all voting "Aye" to approve the Ordinance Amendment as presented. None opposed. Motion approved 5-0.

CRAFT CUSTOM HOMES SUBDIVISION: 383 ANDERSON ROAD: 1.95 ACRES, 8 DWELLING UNITS (5 NEW SINGLE FAMILY DETACHED, 3 EXISTING MULTI-FAMILY)

Mr. Loeper clarified that the property is located on Anderson Road just to the North of Valley Forge Road. It contains an old dwelling which will be maintained but the other out buildings on the property will be demolished. The proposal is a subdivision containing six lots with five new homes. The issue with the plan was that last time it was reviewed there was concern about access and movement within the property and there were questions raised about the adequacy of a 24-foot-wide minimum road. The Board requested that the applicant go back and look at what could be done and the applicant agreed to do that. The plan has been resubmitted so that now there is a 30-foot-wide road which allows for parking on one side of the street. It was also noted that waivers that were on the original application have been removed and there have been some other minor adjustments. The stormwater for the project will be handled by three underground systems and the units will all be tied to public sewer and water.

Board Comments:

Mr. Jenaway expressed gratitude to the applicant for the work he did to increase the driveway.

Mr. Waks also agreed with Mr. Jenaway and stated that the advertisement to amend the current ordinance to expand cart ways was as a result of this matter. He also asked when building is expected to begin and it was responded that assuming requirements are met at a timely fashion, they are hopeful to break ground November and be done by next November.

Ms. Garzillo also expressed appreciation to the applicant and asked if there would be signage for "No Parking Allowed" and it was responded there would be a sign on one side.

Board Action:

It was moved by Mr. Jenaway, seconded by Ms. Kenney, all voting "Aye" to approve The Craft Custom Homes Subdivision as presented. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Mr. Philips, seconded by Mr. Jenaway, all voting "Aye" to approve the Accounts Payable and Payroll. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Tony Hamaday, New Township Manager

Mr. Philips welcomed Tony Hamaday as the new Township Manager.

Township Library

Mr. Philips advertised Petrucci's Night on July 23, 2019 from 7 p.m. to 9 p.m. to raise funds for the Library. He also reminded the public that the Library has free museum and attraction passes.

National Night Out at the King of Prussia Mall

Mr. Jenaway reminded the public of the National Night Out being held at the King of Prussia Mall this year.

EMS Transition Update

Continued transition of Emergency Medical Services at Upper Merion Township from what was Lafayette Ambulance Service to Upper Merion Fire and EMS. The ambulances are now being decentralized operating from the Allendale Road Fire Station and then ultimately from the fire station on Guthrie Road. As a result, the personnel that were employees at Lafayette had the opportunity to apply for Upper Merion Fire and EMS and 16 new paramedics were sworn in on June 28, 2019. Upper Merion Fire and EMS is now operating 24/7 with two ambulances. Mr. Jenaway also reminded and encouraged the public to take advantage of the subscription service available for Township residents.

Book Return Box – Library

Ms. Kenney announced there is a new book return box located right across the main entrance on the upper level next to the flag pole of the Township Building.

Farmer's Market

Ms. Kenney reminded the public about the Farmer's Market on Saturday.

Finances

Mr. Waks mentioned that in fiscal year 2018 Upper Merion Township Government operated with an excess of \$400,000.00 surplus. Mr. Waks expressed gratitude to Upper Merion Township Staff for helping to achieve that. He also noted this is the fourth consecutive year with a budget surplus.

Township Map

Mr. Waks mentioned the Township Map contains a great illustration of Upper Merion Township as well as useful information regarding the Township Government.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Ms. Kenney, seconded by Mr. Philips, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 9:40 p.m.


ANTHONY HAMADAY
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered: