

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
MARCH 12, 2020

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, March 12, 2020, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:49 p.m., followed by a pledge to the flag.

ROLL CALL:

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

MEETING MINUTES:

It was moved by Mrs. Kenny, seconded by Mr. Waks, all voting "Aye" to approve the following meeting minutes: December 5, 2019 Business Meeting, December 5, 2019 Zoning Workshop and the February 6, 2020 Workshop Meeting as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Mr. Jenaway stated due to Covid-19, extensive training and new equipment was needed and this has resulted in a number of actions the Board must take. An Emergency Declaration within Upper Merion Township was established regarding the Covid-19 situations, relieving the Township of having to go through the bidding process and or in the future to be reimbursed for assets that are needed to be purchased to help manage the situations in the field. Mr. Jenaway presented a brief overview of what the Township has done as well recommendations regarding Covid-19 and stated this list would be accessible on the Township's website.

Mr. Jenaway stated an executive session was held to discuss Covid-19, personnel and litigation matter before the meeting.

Board Action:

It was moved by Mr. Waks, seconded by Mr. Philips, all voting "Aye" to Declare a Disaster Emergency that is consistent with other disaster emergencies in order to enable the Township to combat Covid-19. None opposed. Motion approved 5-0.

NEW BUSINESS

PROCLAMATION RE: RECOGNIZE THE MONTH OF APRIL AS PENNSYLVANIA 811 SAFE DIGGING MONTH

Mr. Philips read the Proclamation for 811 Safe Digging Month. April 20, 2020 was proclaimed as Pennsylvania 811 Safe Digging Month in Upper Merion Township.

PUBLIC HEARING RE: AN ORDINANCE OF THE TOWNSHIP OF UPPER MERION, MONTGOMERY COUNTY, PA AMENDING CHAPTER 165, ZONING AMENDMENT CHANGES

Mr. Walko stated this is an ordinance to remove the 18-month construction commencement requirement in the R3A zoning district. Mr. Walko opened the hearing and introduced the following exhibits into the record: Board Exhibit 1 is

the Ordinance itself; Board Exhibit 2 is the Legal Notice for tonight's hearing; Board Exhibit 3 is the Proof of Publication showing that it was advertised in the Times Herald on February 26, 2020 and March 4, 2020; Board Exhibit 4 is the Proof of Submission to the Upper Merion Planning Commission which was made on February 7, 2020; Board Exhibit 5 is the Proof of Submission to the Montgomery County Planning Commission which was made on February 7, 2020. This ordinance simply removes the language that was determined by the Solicitor's Office to be illegal and therefore would be unenforceable that would create a reversion of the zoning map back to the former classification if commencement with construction did not take place within 18-months because it would be a text change that would effectuate a map change. With no further comments, Mr. Walko closed the hearing and reconvened into the public meeting portion of the agenda and stated this ordinance is now in the position for the Board's consideration.

Board Action:

It was moved by Mrs. Garzillo, seconded by Mrs. Kenney, all voting "Aye" to adopt the Ordinance regarding Chapter 165 as presented. None opposed. Motion approved 5-0.

CONSENT AGENDA RE:

1. Request of Homestead Exemption – 240 Valley Forge Lookout Place, Wayne, PA -\$202.27
2. Awarding of Bids re:
 - a. Fire/EMS Substation – Guthrie Road
 - i. Contract 1 (GC): Fayette Group - \$477,921.00
 - ii. Contract 3 (Mechanical): A-Duct - \$99,000.00
 - iii. Contract 4 (Electric): Whitemarsh Electric - \$75,391.00
 - b. UMPD Firing Range Backstop Project – Township Building: Premier Builders - \$168,153.00
3. Resolution 2020-13 re: PA Auto Theft Task Force Vehicle Lease Authorization
4. Accept Extension Letter re: 900 River Road, LLC 900 River Road King of Prussia until April 17,2020
5. Accept Escrow Release No. 1 re: Park Ridge Hotel - \$276,177.00

Public Comments:

Tony Blewit, a resident of the Township, inquired about Contract 2 in Item 2 not being mentioned and it was responded Contract 2 is for plumbing and no bids were received so it is being rebid. Mr. Blewit also expressed his questions and concerns regarding the Lafayette Ambulance phase out process and other matters.

Nick D., a resident of the Township, expressed his questions and concerns regarding the Police shooting range.

Catherine, a resident of the Township, expressed her questions and concerns regarding the Police shooting range.

Board Action:

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

UDR VALLEY FORGE DEVELOPMENT PLAN: 140 VALLEY GREEN LANE,
201 APARTMENTS 5.47 ACRES
RESOLUTION 2020-10

Mr. Loeper stated the proposal is to build 201 apartments. Mr. Loeper reviewed projects UDR has done in other parts of the country. There is an application with PennDOT to allow for an additional access point on to North Gulph Road. This would have to be a right-in right-out. The building configuration was presented and includes 200 apartments, 19 studios, 105 one-bedroom and 76 two-bedrooms. The West Building will also have parking underneath the lowest living level which considers the grade of the site as it falls in the direction of Creed's restaurant and Guthrie Road. It is a four-story building and, on the East, it will be a three-story building with no parking underneath. There will be surface level parking completely surrounding the building. The interior courtyard will have a swimming pool and various other recreational amenities. The plan has been reviewed by Mr. Beach for compliance with the resolution.

Board Comments:

Mrs. Kenney asked if parking was included in the rent and it was responded it was not included in the rent. Mrs. Kenney expressed her disappointment in the response.

Board Action:

It was moved by Mr. Philips, seconded by Mr. Garzillo, all voting "Aye" to approve Resolution 2020-10 as presented. One abstention. Motion approved 4-1.

641/651 TIMBER CIRCLE SUBDIVISION. LOT LINE ADJUSTMENT, 2 LOTS, R-1. PLAN EXPIRATION: 4/14/20
RESOLUTION 2020-11

Mr. Loeper stated both property owners are present and they have signed the resolution. The purpose for the lot line change is that the rear lot's driveway is currently located on portions of the front lot. The plan has been reviewed by both Planning Commissions. Once the plan is approved the plan can be recorded and the new deeds can be prepared and filed.

Board Comments:

Mrs. Garzillo asked if this in essence was a land swap and it was responded yes. Mrs. Kenney asked if this involved two separate owners and if they both agreed and Mr. Loeper responded yes, also stating the owners already signed the agreement.

Board Action:

It was moved by Mrs. Garzillo, seconded by Mr. Philips, all voting "Aye" to approve Resolution 2020-11 as presented. None opposed. Motion approved 5-0.

GSK BUILDING 40 DEVELOPMENT PLAN: 709 SWEDELAND ROAD, 38,492
SF EXPANSION, 50.79 ACRES, HI HEAVY INDUSTRIAL.
PLAN EXPIRATION: 5/12/20
RESOLUTION 2020-12

Mr. Loeper stated this is a proposal for GSK to build an extension on to Building 40, which is commonly known as the Biopharm. The Biopharm is the relatively large building with the gray facade which is located up against River Road. Several years ago, an addition was made which was a combination of research space, warehouse and a portion did have a green roof. The new building is a three-story building, 39,000 square feet, and will be complimentary

to the existing facility. The new building will be placed on top of what is currently an existing parking lot. The area in front of the building that includes the handicap parking and access will be redone. The adjacent parking lot will also be redone and expanded to make up for the parking spaces that are being lost by the placement of the building. Mr. Loeper did point out there has never been a parking issue with GSK. GSK has always taken into consideration their employees and contractors in terms of their parking needs. It was also noted the facility is gated. There are no changes to the access points. Mr. Jenaway noted this plan has been presented before and has been approved by the Planning Commission. Mr. Waks asked for a construction timeline and it was responded they target to begin demolition of the existing area in April and target to be mechanically complete by the third quarter of 2021. Mr. Jenaway asked for the number of additional employees and it was responded 100.

Public Comments:

Mr. Blewit, a resident of the Township, asked how much the project would cost and it was responded by a representative of GSK, an estimate of the current project value is \$127 million, which also includes the equipment to be used to manufacture their product.

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve Resolution 2020-12 as presented. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

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

ADDITIONAL BUSINESS:

PA Mail Voting

Mrs. Kenney reminded the public that now in Pennsylvania voting can be done by mail and urged residents to consider this option in light of Covid-19.

Winter Farmer's Market

Mrs. Garzillo stated the next Winter Market will be February 29, 2020. There is now a food truck that comes to every Winter Market.

Tax Bill

Mr. Jenaway provided clarity in the tax bill that residents received. The tax bill not only includes the Township Tax but also the County Tax and School District Tax. Questions for the School District portion of the Tax Bill should be made to the School District. Questions for the County's portion of the Tax Bill should be made to the County. Township residents were reminded of the Township Tax slight increase in rates. It was noted this was due to capital expenditures for equipment that had not been replaced in many years, to better position the Township when opportunity arose for obtaining money through a bond issue to be able to acquire additional open space. This has been very opportunistic so that the Township can now go through the process of doing that bond and getting the funds at a great rate. Questions for the Township Tax should be made to the Township and Township Manager, Mr. Hamaday, is prepared to discuss these slight increases. It was also noted this is the first increase in taxes in 9 years. Mr. Jenaway noted on the Tax Bill there is an error

that stated all tax questions be directed to the Township, however, the Township can only discuss the millage rates charged by Upper Merion Township. The public was urged to contact the Tax Collectors office for questions related to anything else on the Tax Bill.

Township Closings due to Covid-19

Mr. Jenaway reminded the public of Township closures and reviewed the list that is also available on the Township website.

2020 Census

Mr. Loeper reminded the public of the 2020 Census and stated it is extremely important. The census is used not only to determine your representation at state and local level but it is also used to determine funding. The website is 2020census.gov

Public Comments:

It was asked how the shutdown will affect construction permits and it was responded by Mr. Hamaday that everything will be processed however, applicants may be asked to apply by mail or on a pick-up basis.

Mr. Blewit, a resident of the Township, expressed his questions and concerns.

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 5-0. Adjournment occurred.



ANTHONY HAMADAY
TOWNSHIP MANAGER

mm
Minutes Approved:
Minutes Entered: