

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
WORKSHOP MEETING
JULY 12, 2018

The Board of Supervisors of Upper Merion Township met for a Workshop Meeting on Thursday, July 12, 2018, in the Township Building. The meeting was called to order at 7:30 p.m., followed by a pledge of allegiance.

ROLL CALL:

Supervisors present were: Greg Waks, Greg Philips and Tina Garzillo. Also present were: Sally Slook, Acting Township Manager; Joe McGrory, Township Solicitor and Rob Loeper, Township Planner. Supervisor Bill Jenaway and Supervisor Carole Kenney were absent.

CHAIRPERSON'S COMMENTS:

Chairperson Philips stated an Executive Session was held prior to this meeting regarding personnel issues and potential litigation.

DISCUSSIONS:

PROCLAMATION RE: RETIREMENT OF KATHY BRANDON FROM THE MONTGOMERY COUNTY CHAMBER OF COMMERCE

Mr. Philips recalled his personal remembrances of Kathy Brandon upon her imminent retirement as President and CEO of the Montgomery County Chamber of Commerce. It was noted Ms. Brandon's total service to the Chamber spans 25 years. Mr. Philips mentioned Ms. Brandon has always been a good friend to this Board and asked for approval of a Proclamation as an appropriate tribute which he can present to her at the retirement ceremony on July 16th.

Board Action:

It was moved by Mr. Waks, seconded by Ms. Garzillo, all voting "Aye" to approve a proclamation for Kathy Brandon as discussed. None opposed. Motion approved 3-0.

MOTION TO APPOINT SALLY SLOOK, ACTING TOWNSHIP MANAGER, TO SECRETARY/TREASURER OF UPPER MERION TOWNSHIP

Mr. Philips discussed the motions needed to take care of some administrative housekeeping matters following the departure of the Township

Manager.

Board Action:

It was moved by Mr. Waks, seconded by Ms. Garzillo, all voting "Aye" to appoint Sally Slook, Acting Township Manger, to Secretary/Treasurer of Upper Merion Township. None opposed. Motion approved 3-0.

MOTION TO APPOINT SALLY SLOOK, ACTING TOWNSHIP MANAGER, TO CHIEF ADMINISTRATIVE OFFICER OF THE UPPER MERION POLICE PENSION PLAN AND FUND

Board Action:

It was moved by Mr. Waks, seconded by Ms. Garzillo, all voting "Aye" to appoint Ms. Slook as Chief Administrative Officer of the Upper Merion Police Pension Plan and Fund. None opposed. Motion approved 3-0.

RESIGNATION OF TINA GARZILLO FROM THE PARK & RECREATION BOARD

Mr. Philips stated with the appointment of Tina Garzillo to the Board of Supervisors she has tendered her resignation from the Park and Recreation Board.

Board Action:

It was moved by Mr. Philips, seconded by Mr. Waks, all voting "Aye" to accept Ms. Garzillo's resignation from the Park and Recreation Board. None opposed. Motion approved 3-0.

ADDING ALTERNATE MEMBER TO THE ZONING HEARING BOARD

Mr. M. Jonathan Garzillo discussed the situation that arises with a five-member Board when one member is absent. He said when the Zoning Hearing Board is four instead of five or any even number a tie goes against the applicant and the applicant is allowed to ask for a continuance. It was noted over the span of a year and a half one-third of all the meetings were short the full complement of members.

Mr. Garzillo indicated there is an option for appointment of up to three alternates in the Municipal Planning Code (MPC) and appointment of one alternate by resolution according to the Code of Upper Merion Township, §165-248(B). He mentioned adding an alternate member would be a benefit to the applicant and would save repeated continuances.

Mr. Waks pointed out the ordinance would not have to be changed for appointment of one alternate.

Mr. Garzillo commented appointment of more than one alternate would require an ordinance change.

A discussion followed during which Mr. Waks recommended advertising the alternate vacancy on the township website under current citizen board vacancies.

Mr. McGrory said once an alternate candidate is selected a resolution will be prepared.

AQUA PENNSYLVANIA, INC. DEVELOPMENT PLAN – 230 SAULIN BLVD.
REMOVAL OF EXISTING BLOWER BUILDING AND CONSTRUCTION OF
NEW TREATMENT BUILDING (NET DECREASE OF IMPERVIOUS) 5.09 ACRE
HI HEAVY INDUSTRIAL. REQUEST WAIVER OF LAND DEVELOPMENT Plan
Expiration: 7/2/18

Utilizing the aerial, Mr. Rob Loeper, Township Planner, pointed out the location of the Aqua Treatment plant and various aspects of the site, including the lower building which will be removed. It was noted since the workshop meeting earlier this year the plan has changed slightly in that the new building has been “flipped” in the other direction.

Mr. Loeper indicated there will be a decrease of about 273 square feet of impervious. The new unmanned 5,280 square foot building will contain a treatment facility.

Mr. Philips asked if this is a pre-engineered building. Margo Wagner, GHD, Aqua’s consulting engineer, responded in the affirmative.

Mr. Philips asked about the stormwater on this site. Mr. Loeper responded the site currently has a stormwater basin that is shared with the adjacent property.

Ms. Garzillo asked if the footprint of the building has changed. Mr. Loeper responded the footprint of the building remains the same. Ms. Wagner commented the building was flipped to address utility issues.

Mr. McGrory asked if the direction of the stormwater has changed at all. Mr. Loeper responded in the negative. Mr. McGrory indicated in that case there can be an outright waiver tied into the engineer’s letter by Resolution.

Board Action:

It was moved by Mr. Philips, seconded by Ms. Garzillo all voting "Aye" to waive land development for Aqua. None opposed. Motion approved 3-0.

GLAXOSMITHKLINE (GSK) – TERMINATION AGREEMENT OF METHANE GAS MONITORING

Mr. Loeper provided background on the methane barrier system that was built in the 1990's on GSK's West Campus adjacent to what was the Montgomery County land fill. There had been a methane related explosion in one of their utility tunnels and GSK wanted make sure they did not have any problems. One of the things they were hoping to do at that time was collect the methane in a central location where it could be burned off for cogeneration of electricity; however, they never had the amount of methane making that feasible.

Mr. Loeper indicated this system has been ongoing since then and as part of the agreement reports were submitted to the township. In or around 2013 whoever was responsible for submitting the reports left the company and the reporting ceased. While reporting has been nonexistent for five years, GSK will still monitor the methane and respond to any alerts. It is GSK's position given the fact there have been five years without reporting and methane levels have gone down it would eliminate the need to submit periodic reports to the township.

Lindsey Griffiths and Amy Fisher were the GSK representatives at this meeting. It was indicated the methane barrier system was the responsibility of GSK and installed by GSK for the health and safety of their employees and is in no way tied to the passive venting system on the land fill which is managed by Montgomery County.

Mr. Waks asked if this system was voluntarily installed by GSK. The GSK representative indicated (1) it was completely voluntary, (2) it will not be turned off, (3) and GSK will continue to monitor.

After questioning the GSK representatives, the consensus among the supervisors was that it was not particularly burdensome to send reports for data that is already being collected during the monitoring process.

In response to Mr. Philips question, the GSK representative indicated GSK monitors a percentage of LEL (lower explosive limit) and at 7% it is well below the level that would require action. It is GSK's position they are asking for reporting relief since it is a resource they will be transferring.

Ms. Garzillo asked how GSK collects the internal data. GSK Response: GSK has a third party company, Weston Solutions, that comes in quarterly to pull data for a formal report. There is a continuous monitoring in the central utility

plant which is manned 24/7.

Ms. Garzillo asked if the third party report comes to GSK. Response from GSK was in the affirmative.

Ms. Garzillo pointed out the third party could just as easily send reports to two entities simultaneously. Mr. Waks commented it would not be burdensome to simply forward the report to the township.

In response to Mr. Philips question, the GSK representative indicated under GSK ownership monitoring will continue, but they were unable to speak on behalf of a future buyer. Mr. Waks stated once the sale of the property occurs monitoring would become the buyer's issue.

Mr. Philips asked about the lower limit that would trigger the alarm. GSK Response: LEL methane is 5%, but alarm systems will sound at Building 20 (the Central Utility Plant) at 15% of LEL and at Building 32 at 20% of LEL.

Mr. Philips asked if the township engineer provided any input. Mr. Loeper responded he has not heard from the township engineer as yet.

Mr. Philips stated he is willing to defer this matter until the township engineer provides comments.

Mr. Waks commented a deferral would be in order since some of the GSK responses were not forthright. He mentioned one of the supervisors who is not in attendance at this workshop meeting has very strong opinions on this matter.

From the public:

Mr. Michael Napolitan, asked for clarification about the ownership of the land and maintenance of the cap. GSK Response: GSK owns the land and maintains the cap. The county is responsible for the maintenance of the methane gas system.

In response to additional questioning by Mr. Napolitan, Mr. McGrory provided the historical background between the county and GSK dating back to 1982. Mr. Philips referred Mr. Napolitan to the Montgomery County Department of Public Property for the additional information he is seeking.

Mr. Philips stated an additional workshop meeting will be held on this matter on August 2nd.

ADJOURNMENT:

Board Action:

It was moved by Mr. Waks, seconded by Ms. Garzillo, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 3-0. Adjournment occurred at 8:06 p.m.



SALLY SLOOK
ACTING TOWNSHIP MANAGER

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Minutes Approved: 8-16-18

Minutes Entered: