

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
SEPTEMBER 20, 2018

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, September 20, 2018, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:30 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Bill Jenaway, Greg Waks, Greg Philips, Carole Kenney, and Tina Garzillo. Also present were: Sally Slook, Acting Township Manager; Joseph McGrory, Township Solicitor's; Kyle Brown, Associate Township Planner and Tom Beach, Township Engineer.

MEETING MINUTES:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye" to approve the August 16, 2018 Business Meeting Minutes as submitted. None opposed. Motion approved 5-0.

CHAIRMAN'S COMMENTS:

Chairman Philips announced that on September 13th the Board had a joint executive session with the Upper Merion Township Sanitary & Stormwater Authority where they discussed sale of property and the potential of personnel actions.

NEW BUSINESS

SWEARING IN OF NEW POLICE OFFICERS CONNER WALSH AND MATTHEW VALOCCHI BY DISTRICT JUDGE WILLIAM MARUSZCZAK

Chief Nolan addressed the Board and Township Manager and stated we are here tonight to swear in two new police officers. In February of 2018, the Upper Merion Township Police Department began a recruitment campaign in the tri-state area in order to fill expected openings in the Police Department. The recruitment resulted in over 200 applicants who took the test and went through the selection process to become members of our police department. Tonight we are swearing in two officers who will fill vacancies from retirements in the coming months. At this time Chief Nolan introduced Matthew Valocchi. Matthew is a 2003 graduate of Conestoga High School in Berwyn. He graduated from Penn State University in 2006 with a Bachelor Degrees in Crime, Law & Justice and from the Villanova University School of Law in 2010. Matthew is currently a certified EMT and he most recently worked for the Goshen Fire Company in West Chester as a career fire-fighter/EMT. Matthew started his employment with the Upper Merion Township Police Department on September 10th and he is currently detailed to the Temple University Municipal Police Academy.

Chief Nolan then called Connor Walsh forward. Connor is a 2013 graduate of LaSalle College High School in Wyndmoor. He graduated from West Chester University with a Bachelor's Degree in Criminal Justice in 2016. Connor most recently worked for the Lingo Group in Chalfont as a landscape foreman and he also started his employment with Upper Merion Township on September 10, 2018 and is currently detailed to the Temple University Municipal Police Academy.

At this time Judge William Maruszczak administered the oath of office to Matthew Valocchi and Connor Walsh.

SWEARING IN OF FIRE AND EMS CHIEF DENNIS RUBIN BY DISTRICT
JUDGE WILLIAM MARUSZCZAK

Chief Tom Nolan announced that tonight will mark the swearing in of the township's first ever Chief of Fire and EMS. This new position was recommended in the Upper Merion Township Fire Study from September of 2016 and was formally approved in late 2017 while preparing the 2018 budget. In early 2018 the Township staff started crafting the job description for this new position. A big component of the position was the need for the applicant to possess a vast amount of experience and special experience in combination fire departments. After a nationwide search and a very rigorous selection process, Chief Nolan proudly introduced Chief Dennis Rubin as Upper Merion Township Chief of Fire and EMS. Chief Rubin is a 1983 graduate of the University of Maryland with a Bachelor Degree in Fire Administration. His experience in Fire and Rescue Services spans more than 45 years. Chief Rubin started as a firefighter on the Fairfax County Virginia Fire Department in 1981. He then moved to his dream job with the Washington DC Fire Department. During his career he served as a captain in the Mace Arizona Fire Department, a Battalion Chief in Chesterfield Virginia Fire Department before taking on more prestigious roles. He has served as Fire Chief of several cities during his career. Chief Rubin is a graduate of the National Fire Academy as well as the Naval Post Graduate School Executive Leadership Course in Homeland Security. He is an adjunct professor with several state fire academies as well as the National Fire Academy and in his spare time has authored a few Emergency Services textbooks.

At this time Judge William Maruszczak administered the oath of office to Chief Dennis Rubin.

PRESENTATION OF THREE CIVILIAN DEPARTMENT OF PUBLIC SAFETY
LIFE SAVING AWARDS FOR A WATER RESCUE AT MARTIN'S DAM SWIM
CLUB

Chief Nolan announced that tonight he is honored to present three public safety lifesaving awards to three citizens who witnessed a critical incident and literally jumped into action to save a life of someone they did not even know. Chief Nolan stated that many of the first responders present tonight responded to that call that night but if it were not for these three citizens things would have turned out much worse. At this time the Chief introduced William Bostick, Joshua Bostick, and Kent Littlepage to Chief Rubin. Chief Nolan then read the lifesaving award out loud to the audience. In summary, it states that on June 12, 2018, at approximately 4:30 pm a motorist was traveling southbound on South Warner Road when at the intersection of Croton Road he suffered a medical emergency that caused him to lose control of the vehicle he was driving. He suddenly accelerated at a high rate of speed and crashed through the guardrail at the edge of Martin's Dam Swim Club. His vehicle vaulted nearly 100 feet through the air and landed in the middle of the pond. The water was nearly six feet deep and his vehicle began to sink. The motorist was confused and disoriented and not able to free himself from the vehicle. Several motorists witnessed what had just taken place and jumped into action to assist Mr. King. William Bostick and his son Joshua Bostick immediately jumped into the water and swam out to the sinking vehicle. At the same time another motorist, Kent Littlepage jumped into the water and also swam out to the victim. Without the action of these brave citizens, the motorist would have drowned. He was subsequently transported to the hospital and has fully recovered. Mr. King is in the audience tonight. At this time Chief Nolan recognized William Bostick, Joshua Bostick, and Kent Littlepage for their act of bravery and selflessness for risking their own safety by jumping into the water without hesitation and removing the motorist from his sinking vehicle ultimately saving his life.

At this time Chief Nolan invited Mr. King to join his rescuers for a photo.

PRESENTATION BY KYLE BROWN RE: TOWNSHIP ACHIEVING SOLSMART BRONZE

Kyle Brown, Associate Township Planner introduced himself to the audience. He explained that SolSmart is a national program created to recognize communities that have taken key steps to address local barriers of solar energy and foster the growth of local solar markets. As part of the program the Township worked with regional advisors from SolSmart to identify potential challenges to private solar implementation in the township and set about changing them. The Code Enforcement Department created an easily navigable check list on our website for people looking to install solar panels. They also trained staff and safety personnel on the technology. In the meanwhile, Kyle and the Board of Supervisors and began discussing the process of making changes to the Zoning Code that would potentially broaden and incentive the development of solar systems in the township. Kyle noted that the Township will continue our efforts as we look forward to a potential silver or gold designation in the future. Kyle thanked Adam Beam, Sol Smart advisor from DVRPC and John Lasher, Environmental Planner from Montgomery County Planning Commission, for their assistance. He also thanked Wendy Logan and Mark Zadroga from our Code Enforcement Department, and lastly the Board of Supervisors for their leadership. It was clear from the beginning that it was not about the designation for them, as nice as the plaque is, but about taking advantage of the program for the betterment of the environment and our community.

PRESENTATION BY PENNSYLVANIA CHAPTER OF THE AMERICAN PLANNING ASSOCIATION RE: 2018 GREAT PLACES IN PENNSYLVANIA AWARD – SCHUYLKILL RIVER WEST TRAIL

Supervisor Tina Garzillo joined Mr. Dave Schwartz from the Pennsylvania Chapter of the American Planning Association at the podium. Mr. Schwartz stated he is pleased to designate the Schuylkill River West Trail as a great place in Pennsylvania in the Greenways and Trails Category. Mr. Schwartz presented the Board with a plaque to honor this achievement.

SHADE TREE AND BEAUTIFICATION AWARDS

Supervisor Garzillo along with Susan Ridgeway, Ann Marchino, and Bob Dempsey, members of the Shade Tree Beautification Committee were on hand to present the 2018 Shade Tree Beautification Awards.

To start the ceremony a video was played showing the various winners properties. The video was shot and produced by Jeff Vernisky, Township Employee.

The following won for Residential Front Yards:

Abdul & Nargis Alladin – 1001 Lisa Court
Kevin & McKenzie Frankel – 324 Overlook Lane
The Herricks – 707 Suellen Drive
Sue & Tom Ludwig – 175 Brownlie Road
Michael & Zoe Nikolaou – 621 Keebler Road
Linette Painter – 212 Glenwood Drive
Agnes & Vito Orzechowski – 299 Anderson Road
Sal & Pattie Salamone – 706 George Street
James Scancella, Sr. – 705 Springdell Road
Kristine Sudol – 464 Orchard Road
Jeffrey & Christine Thornton – 645 General Armstrong Road
Jerry & Aina Sturman – 271 Winthrop Lane
Pawel & Violetta Symoczko – 113 Hawthorn

Residential Back Yards:

Aileen & David Saunders – 241 Winthrop Lane
LaVera Seymour – 480 Langdale Court

Distinguished Tree:

Elias & Elizabeth Ahmed – 281 Riverview Road

Commerical:

Dennis Maloomian
Realen Valley Forge Greenes – Village at Valley Forge

Chairman Philips thanked the Shade Tree Commission for all the work that goes into this award ceremony each year. He also thanked the winners for their green thumbs which led to the beautiful properties for all of us to enjoy.

CONSENT AGENDA RE:

Chairman Philips noted that Item #12 on the consent agenda will be pulled off and voted on separately.

1. Name Acting Township Manager Sally Slook as Trustee for Delaware Valley Health Trust
2. Approve Change Orders re:
 - a. Change Order 1 – McCarthy Construction, Inc. in the amount of \$1,166.00 for installation of carpet in Detectives office, patching and painting areas where additional receptacles were installed
 - b. Change Order 2 – McCarthy Construction, Inc. in the amount of \$8,420.02 for correction of condition in ceiling in women's shower room, new door at the 2nd floor entry to stairway
3. 2019 Minimum Municipal Pension Obligation (MMO) for Police and Non-Uniform Employees (\$1,586,611 – Police); (\$536,671 – Non Uniform)
4. Request for Real Estate Tax Penalty Refund in the amount of \$22.54
5. Budget Transfer re: Cover Expenses incurred to the township building from the flooding on August 13th - \$23,000.00. Any insurance reimbursements will be paid back into the account
6. Resolution 2018-47 re: Disposition of Township Records
7. Authorize Solicitor to Sign Settlement Stipulation re: Realen Valley Forge Greenes Associates – 300 Village Drive
8. Resolution 2018-48 re: Authorize the Acting Township Manager to sign Traffic Signal Approval for Allendale Road and Elliott Drive
9. Equipment Replacements re:
 - a. Public Works /Park Division – Replace 2005 Dodge Ram with a 2019 Ford Super Duty F-350 with snow plow package - \$53,530.00
 - b. Public Works/Trout Run – Replace existing sampler - \$5,000.00
 - c. Codes Department – Vehicle Replacement - \$28,000.00
 - d. Codes Department – Vehicle Replacement - \$30,625.00
 - e. Police Department – Vehicle Replacement - \$21,532.00
 - f. Admin/Police – Replace HVAC Units - \$29,550.00
10. Accept Extension Letter re: Henderson KOP, LLC, 243 South Henderson Road
11. Professional Services Agreement re: Heuser Park Riparian Buffer Planting to Shultz Forest Management in the amount of \$14,950.00
12. **Resolution No. 2018-50 & First Amendment to Easement Agreement - American Tower Corporation (Bob Case Park)**

Board Comments:

Ms. Kenney questioned the replacement of the vehicles in the Codes Department, specifically if they were electric or hybrid. Mark Zadroga, Director of Codes, stated that currently the department has two vehicles that are alternative fuel, a Chevy Volt and a full-size pick-up. The two new vehicles are gasoline

engines. Mr. Zadroga stated that at the time of purchase there were no vehicles available in either CNG or Hybrid. Supervisor Kenney asked that in the future she would like all departments to consider replacement of vehicles with alternate fuel vehicles.

Board Action:

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

APPROVAL OF VOLUNTEER FIRE & EMS PENSION DISTRIBUTION LIST FOR 2018

Supervisor Jenaway abstained from the voting of this item due to the fact that he is part of the Volunteer Fire & EMS Program.

Board Action:

It was moved by Mr. Waks, seconded by Mrs. Garzillo, all voting "Aye" to approve this item as presented. Motion passed 4-0 with one exemption.

3500 HORIZON BOULEVARD DEVELOPMENT PLAN. ADD 32,707 SQUARE FOOT, 2-STORY BUILDING ADDITION TO EXISTING 67,293 SQUARE FOOT BUILDING. 100,000 SQUARE FOOT BUILDING WILL BE USED FOR OFFICE/RESEARCH DEVELOPMENT. 10.23 ACRES, SM-1 SUBURBAN METROPOLITAN. Plan Expiration: 10/1/18. Resolution 2018-49

Mr. Kyle Brown presented this development plan located at 3500 Horizon Boulevard. This is an office building in the Renaissance Business Park. With the addition the new building would be 100,000 square feet and be used for office/research development. There are three waivers being requested by the applicant, all related to landscaping. The applicant explained the request for the three waivers in detail to the Board. The applicant also stated that they are planning to reserve 39 parking spaces and an additional 19 trees would have to be removed if the need for the parking spaces arises.

Chairman Philips questioned the applicant on the replacement of the dead trees that was addressed at a previous workshop meeting. Mr. Kevin Kyle, Project Manager, stated that they are planning to replace the dead trees with new trees to provide a better buffer between their property and the residential homes.

Supervisor Kenney asked to have a better explanation of the stormwater management plan for the site due to the waivers being sought. It was explained that a rain garden is being proposed in a newly established green island adjacent to the building. If the reserved parking needs to be constructed, all those spaces are proposed to be porous paving in addition to an underground detention basin to help mitigate the stormwater.

Supervisor Jenaway again questioned the specific amount of trees being lost. The applicant stated that 23 trees will be lost. They are proposing to replant 8 trees, so that leaves a net of 15 trees lost. The applicant stated that they are willing to donate the 15 trees back to the township for use in other areas.

It was stated that Solicitor McGrory would modify the Resolution to amend the changes noted tonight, specifically the third waiver which will now include: net replacement trees will be donated to the township.

Board Action:

It was moved by Mrs. Garzillo, seconded by Mr. Jenaway, all voting "Aye", to approve Resolution 2018-49 as amended for providing the net difference in trees to the Township. None opposed. Motion passed 5-0.

PUBLIC HEARING RE: ORDINANCE TO ADOPT THE 2015 PENNSYLVANIA UNIFORM CONSTRUCTION CODE

Solicitor McGrory opened the hearing and introduced into record Board Exhibit One – the Ordinance, Board Exhibit Two – the Legal Notice, Board Exhibit Three

– the Proof of Publication, and Board Exhibit Four – Proof of Submission to the Montgomery County Law Library. This ordinance is to update and adopt the 2015 UCC Code as Township Code. Supervisor Jenaway asked if the Residential Sprinkler Requirements for single family homes remains in the ordinance. Mark Zadroga, Director of Codes answered in the affirmative and indicated that a few provisions were deleted but basically nothing really changed from previous years.

At this time hearing no further comments, Solicitor McGrory adjourned the public meeting portion of the hearing. He noted that the ordinance is now under the consideration of the Board.

Board Motion:

It was moved by Mr. Waks, seconded by Mrs. Kenney, all voting "Aye", to adopt the Ordinance as presented. None opposed. Motion passed 5-0.

APPOINTMENT OF CITIZEN BOARD MEMBERS:

Chairman Philips put forth the names of Carol Ryan to serve on the Environmental Advisory Council (EAC) and Elizabeth Diann Pool to serve on the Farmers Market Advisory Board.

Board Motion:

It was moved by Mr. Jenaway, seconded by Mrs. Kenney, all voting "Aye", to appoint Carol Ryan and Elizabeth Diann Pool to the EAC and Farmers Market respectively. None opposed. Motion passed 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

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

ADDITIONAL BUSINESS:

Supervisor Waks reminded the public that the upcoming Upper Merion Township Annual Fall Festival will occur on Saturday, October 6th at Heuser Park from 11:00 am to 3:00 pm.

Supervisor Jenaway stated that the Spotted Lantern Fly has been identified coming down Route 422. Be aware that this is an insect that attacks berry trees and hardwood. Once attacked it will destroy the tree. Please pay attention and if you notice this insect on your property please take appropriate action.

Supervisor Garzillo announced that the Shade Tree Commission is currently putting together a video to educate the public about what type of insects are harming our trees and what can be done to alleviate the problems.

Supervisor Kenney announced a shredding event at the Upper Merion Middle School from 11:00 am to 1:00 pm on Saturday. She also gave an update on the adoption of the kittens from NorView Farm. Three male kittens were adopted; one female was adopted by Supervisor Kenney which leaves two additional females available for adoption. If you are interested, please contact Dave Dolga at NorView Farm or Supervisor Kenney.

Supervisor Garzillo announced that October 13th is the Fall Festival at the Farmers Market and October 27th is Halloween Spooktacular at the Farmers Market. There will also be a Green Drop area on October 27th for residents to donate clothes and other items. These items are tax deductible and will also benefit the American Red Cross.

Supervisor Garzillo indicated that volunteers are needed on the following dates: September 29th at Bob White Park to take down some of the invasives that are around some of the trees that were recently planted and on October 27th to help with a fall planting at Heuser Park. Supervisor Garzillo thanked the volunteers from Americor that came to Heuser Park on August 20th and 21st. They worked two long days and did great work at the park.

Chairman Philips praised the staff for all their hard work done after the catastrophic storms on August 13th. In conjunction with that, the Upper Merion Stormwater and Sanitary Authority will be holding a Stormwater Open House on Monday, September 24th from 6:00 to 9:00 pm. This open house will go over some of the stormwater study information that Gannet Fleming, our consultants have put together. This is an opportunity for the public to come out and talk to the consultants to see what stormwater projects are planning to done in the future.

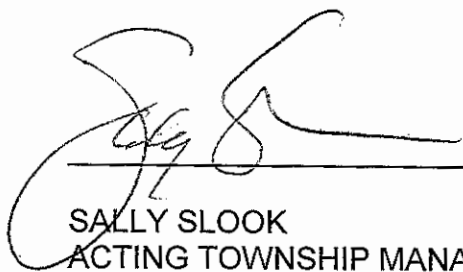
Chairman Philips announced that September is library card sign up month. He also noted that the Library is having a fund raiser at Choolaah on Friday, September 28th. He urged residents to come out and support the library. 30% of the proceeds raised that day will go back to our library and help them continue offering the programs that we have come to expect. It was noted that currently there are two job openings at the library.

The chairman announced that the Township is holding a yard waste collection program that is active through October 26, 2018. Pick-ups can be scheduled by calling 610-265-8465 or by visiting the township website.

Lastly the chairman addressed a rumor concerning the sale or potential sale of the Township's sewer system. He stated that like many other townships that have been approached and looking at potential sales, we too have been exploring this idea. We have hired consultants to determine whether or not that may be a good thing for our township. Chairman Philips explained that there are a number of things the Board is looking at but at this time there have been no decisions. He stated that if anyone has any comments or questions concerning this topic to reach out to him or another board member and they will be happy to answer any questions.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Mr. Jenaway, seconded by Mrs. Kenney, all voting "Aye" to adjourn the meeting. None opposed. Motion approved 5-0. Adjournment occurred at 8:54 p.m.


SALLY SLOOK
ACTING TOWNSHIP MANAGER

cad
Minutes Entered 11-15-18
Minutes Approved: