

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
APRIL 13, 2023

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, April 13, 2023, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:29 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Bill Jenaway, Tina Garzillo and Carole Kenney and Greg Waks. Also, present was Anthony Hamaday, Township Manager; John Walko, Esq., Solicitor's Office and Leanna Colubriale, Township Engineer.

MEETING MINUTES:

March 2, 2023 – Zoning Workshop
March 2, 2023 – BOS Workshop
March 9, 2023 – Business Meeting

Board Actions:

It was moved by Vice-Chair Jenaway, seconded by Supervisor Kenney, all voting "Aye" to approve both Workshop minutes. None opposed. Motion passed 5-0.

It was moved by Supervisor Kenney, seconded by Vice-Chair Jenaway with Supervisor Phillips abstaining since he was not at the March 9th meeting, all voting "Aye" to approve the March 9th Business minutes. None opposed. Motion passed 4-0-1.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo said there will be an Executive Session following this meeting involving Personnel matters. Second, she mentioned that there will be a Statewide Conference on April 23 - 26 in Hershey, PA for PSATS which the entire Board will be attending.

Chairperson Garzillo stated that the Septa KOP Rail Line has been halted and that project is no longer in existence, Septa is now looking at a "Bus Revolution" to bring more buses and adding more routes to this area. In addition, she mentioned that the Police Department received a grant to purchase a new software program called Crime Watch. This system will streamline the Police Departments communications throughout social media by getting real-time info out to the public faster. Chief Nolan encouraged residents to go to the website UpperMerionPolice.org to connect with the police department social media sites and to download Crimewatch Mobile for a free account.

Chairperson Garzillo also mentioned that the Senior Service Center at Upper Merion Community Center has revamp enrollment post Covid. Mrs. Garzillo read a memo from Sharon Brzoska, President stated the center is open Monday to Friday from 9 am to 3 pm and membership is only \$20.00 per year. Ms. Brzoska said to please stop by to check it out and see everything that they offer and to sign up for trips.

Finally, Chairperson Garzillo said there will be three (3) joint meetings, two in April and one in May for the Citizen Board Committees to come together with the Board of Supervisors to finalize or recap what has been done so far and to discuss plans for coming events in the future.

CITIZEN BOARD VACANCIES:

Chairperson Garzillo gave an update on vacancies on the Upper Merion Citizen Boards. Currently there is one for Community Advisory Board for a Student member, one for EAC, two for Human Relations Commission, one for the Library Board, one for Public Safety Citizen Board, one for Upper Merion Foundation sub-committee and three for Upper Merion Historical Commission. She said if anyone is interested in serving to please go to Upper Merion website to complete an application to be interviewed.

NEW BUSINESS:

SWEARING IN OF FIRE FIGHTER JAMES ROCHE BY JUDGE PATRICK KROUSE:

Fire Chief James Johnson called Mr. James Roche up to the podium to introduce him to everyone. James resides in Philadelphia and was a graduate of Downingtown East High School and West Chester University. He possesses numerous fire certifications including water rescue and advanced line systems. Judge Patrick Krouse swore Officer Roche in as a Fire Fighter for Upper Merion Township.

RESOLUTION 2023-12 re: Recognizing Arbor Day:

Supervisor Kenney read the Arbor Day Resolution in which State Legislation has designated the last Friday in April as Arbor Day to encourage the planting of shade trees and conservation methods for our forest crops for wildlife safety and beautification. Upper Merion Shade Tree Commission will give away 1' tall potted seedlings ready for planting with protective tubes.

Supervisor Kenney also mentioned all the activities that will be happening in the Township that weekend including the presentation of the Tree City USA award for the 47th consecutive year and Growth award for the 4th consecutive year to Upper Merion Township by PA Department of Conservation and Natural Resources.

RESOLUTION 2023-13 re: Recognizing Earth Day:

Supervisor Kenney read the Earth Day Resolution which states that Earth Day is focused on our fragile environment to reduce toxicity and trash, to reuse and recycle containers as much as possible including buying products with recycled materials. Also, the Board of Supervisors regards protection of open space as an important goal preserving and conserving land for future generations.

Supervisor Kenney also mentioned about the shredding program, electronic recycling event as well as recycling of bikes happening the weekend of April 22nd and 23rd.

Board Action:

It was moved by Supervisor Philips, seconded by Vice-Chair Jenaway, all voting "Aye" to approve both Resolutions. None opposed. Motion approved 5-0.

PUBLIC HEARING – PROPOSED ORDINANCE – SOUTH HENDERSON ROAD: Proposed Ordinance establishing parking restrictions on South Henderson Road between Shoemaker Road and South Gulph Road.

Before the hearing started Chairperson Garzillo said they're proposing this Ordinance for public safety concerns due to a new business opening in that area which was well attended and patrons were parking on the busy street.

Solicitor John Walko said this Ordinance will restrict parking on both the east and west sides of South Henderson Road between Shoemaker and South Gulph Roads. He then presented three (3) exhibits for this hearing, the first one is the Ordinance itself, exhibit #2 is the March 30, 2023 advertisement of tonight's public hearing which was published in the Times Herald and exhibit #3 is the March 27, 2023 proof of submission of the Ordinance to the Montco Law Library for public inspection.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Kenney, all voting "Aye" to approve the Parking Restrictions Ordinance. None opposed. Motion approved 4-0.

CONSENT AGENDA:

1. Budget Transfer - \$15,000.00 from #18430-07941 to #18430-07889 to cover the Public Works salt shed roof repairs, which will be procured under a PA COSTARS Cooperative Purchasing Agreement.
2. Land Development Plan Review Extension – Parkview Tower, 1150 First Avenue. Accept letter of extension from Parkview Tower Associates, LP for the review of the proposed Land Development Plan through July 31, 2023.
3. Land Development Plan Review Extension – Mancill Mill Company, Mancill Mill Road. Accept letter of extension from the Mancill Mill Company for the review of the proposed Land Development Plan (Phase II – Warehouse) to May 11, 2023.
4. Tannery Drive at Crow Creek Stabilization Payment No. 2 – Ecotone, LLC. Approval of Payment Application No. 2 to Ecotone, LLC in the amount of \$7,905.74 for work completed to date on the project.
5. Resolution 2023-11 – Moore Road Multimodal Trail & Linear Park Grant Application to DCNR. Authorization to submit a

DCNR Grant application, in conjunction with the KOP BID, for the Moore Road Multimodal Trail Improvement Project.

6. Moore Road Multimodal Trail Improvement Project Cooperative Agreement – KOP BID. Approval of a cooperative agreement with the KOP BID for the design, bidding and management of the Moore Road Multimodal Trail Improvement Project.
7. Abrams PS/Valley Brook PS/Trout Run PS Upgrade Project – Contract Payment No. 3 – Blooming Glen Contractors. Approval of Payment Application No. 3 to Blooming Glen Contractors in the amount of \$93,333.54 for work completed to date on the upgrade project as recommended by the Township Consulting Engineer.
8. First Avenue Linear Park Phase 2 – Payment Application No. 5 in the amount of \$265,304.62 to Road-con, Inc. of West Chester, PA for work completed to date.
9. Sweetbriar Park Playground Renovation Contract Payment No. 1– General Recreation, Inc. Approval of Payment to General Recreation, Inc. in the amount of \$162,184.72 for playground renovations including all new equipment, site amenities, safety surfacing and installation.
10. Approval of a new 5 Year (60 month) Lease with Jules & Associates for the Community Center Fitness Equipment in the amount of \$3,120 per month including full 5-year warranty and old equipment buy-back.
11. Resolution 2023-14 – Police Motor Vehicle Close End Lease. Authorization and confirmation of a 36-month Lease Contract for new vehicle from Patriot Dealerships under Co-Stars Contract in the amount of \$528.16 per month reimbursed through an Automobile Theft/Motor Vehicle Insurance Fraud Intergovernmental Agreement with the PA State Police.
12. Capital Equipment Lease/Purchase – Authorization to lease/purchase the following vehicles through any state/Costars contract or Gov't leasing program:
 - a. Public Safety – (4) 2023 Ford Police Interceptor AWD Marked Patrol Vehicles
 - b. Wastewater & Collections – (2) 2023 Ford Escape Hybrids
 - c. Safety & Codes - 2023 Chevrolet Bolt EV 4dr Wagon
13. Authorization to Purchase – Norview Farm Park Sign. Authorization to purchase a new freestanding ground sign from Edge Signs and Graphics, Pottstown, PA in the amount of \$17,084.00.
14. Capital Equipment Purchase – PW Garage Fuel Dispensers – Authorization for the purchase and installation of three (3) replacement fuel dispensers for Public Works in the amount of \$60,153.00 from Fuel Systems Services, LLC of Telford, PA through the Sourcewell Cooperative Purchasing Program.
15. Appointment to Citizen Board – Library Board of Directors would like to appoint David Newman.

16. Resolution 2023-16 – Wastewater Treatment Discharge Regulations

17. Linear Park Phase 2 Contract Extension – Road-Con, Inc.
Approval of a request from Road-Con, Inc. for a time extension on the Linear Park Phase 2 Contract to July 31, 2023 due to material delays and unforeseen utility conflicts.

Board Action:

It was moved by Supervisor Phillips, seconded by Vice-Chair Jenaway, all voting "Aye" to approve the Consent Agenda as presented. None opposed. Motion approved 5-0.

PUBLIC COMMENTS: None

PRELIMINARY/FINAL SUBDIVISION PLAN– 800–870 RIVER ROAD – Consideration of a preliminary/final subdivision plan for 800 Schuylkill River Associates, 870 River Road prepared by Taylor, Wiseman & Taylor, dated September 22, 2022, last revised 2023 for the subdivision/reverse subdivision of .325 acres from parcel 58-00-16521-10-7 to 58-00-16521-12-5. Resolution 2023-15

Mr. Hamaday mentioned that the applicant made a presentation at tonight's BOS Workshop asking to transfer approximately .325 acres from 870 River Road to 800 River Road which is 3.2 acres. The applicant's attorney Mr. Ed Campbell said this very narrow piece of land is across the street near the old Inquirer building; they want to subdivide the railroad spur which is not in use anymore from 870 River Road and join it to the 800 property. This piece of land is about 40' wide and a couple hundred feet long.

Board Action:

It was moved by Supervisor Phillips, seconded by Supervisor Kenney, all voting "Aye" to approve the Final Preliminary Plan for 800 and 870 River Road and Resolution 2023-15. None opposed. Motion approved 5-0.

PUBLIC COMMENTS: None

AUTHORIZATION TO PURCHASE PROPERTY FROM MONTGOMERY COUNTY REPOSITORY TAX SALE – Parcel 58-00-03469-00-1, Evergreen Lane – Approval of the purchase of parcel no. 58-00-03469-00-1, Evergreen Lane (21,200 sq. ft.) from Montgomery County, as part of the County's Repository Tax Sale, in the amount of \$500 and authorization for the proper Township Officials to sign all necessary documents to complete the purchase of the parcel.

Mr. Hamaday explained that this is a small property near Bob Holland Park and Coats Lane near the end of the Township's right away of Evergreen Lane. He felt that the Supervisors should secure the piece of land through the County repository to ensure that no individual would buy and develop it which would affect the access to the neighboring properties. This property is only

\$500.00 and it will give us an additional access to Bob Holland Park. Supervisor Kenney asked if the Township owns the park. Mr. Hamaday said PECO owns most of the land with a right of way going through the middle and leases it to us. One side of the park is lined with PECO transmission poles near Bridgeport and the other side has an underground PECO pipe running through it which goes to Bridgeport Elementary School.

Chairperson Garzillo asked about the repository tax sale; Mr. Hamaday explained that Montgomery County has a repository tax sale each year for any property the County owns and wants to get rid of. So before selling any parcels or accepting outside bids they first contact the Townships the parcels are in to see if they are interested in purchasing.

Board Action:

It was moved by Supervisor Phillips, seconded by Supervisor Kenney, all voting "Aye" to purchase parcel #58-00-03469-00-1 from the County's repository. None opposed. Motion approved 5-0.

PUBLIC COMMENTS: None

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Supervisor Waks, seconded by Vice-Chair Jenaway, all voting "Aye" to approve the Accounts Payables for invoices processed from March 2, 2023 through April 5, 2023 and Payrolls dated March 3, 17 and 31, 2023 for a total of \$4,753,675.46. None opposed. Motion approved 5-0.

PUBLIC COMMENTS: None

ADDITIONAL BUSINESS:

Supervisor Waks thanked the Parks & Recreation Department for organizing the recycling event especially the bike recycling to be able to pass a bike along to somebody who might not be able to afford a bike. He also said to go to the Township website to see everything else that will be accepted for recycling that weekend. Secondly, he mentioned the Race for Peace on May 6th, this is a great opportunity to ask questions to Upper Merion Police as well as other neighboring Police departments that will be at the event at KOP Mall. In addition, he mentioned about the annual prescription drug take back day on April 22nd even though you can drop off any drugs 24/7 into the locked drug box near the Police Department in the Township lobby this day brings awareness to the significant concerns that can be raised in regards to drug abuse and environment harm the drugs can do to our Ecco system.

Finally, Supervisor Waks mentioned that at the May BOS Business Meeting the Board of Community Assistance will announce the Scholarships recipients for Upper Merion High School residents and the Organizations that will receive grants for providing services to Upper Merion residents.

Vice-Chair Jenaway mentioned that Upper Merion was awarded another Communication Award by the PA State Association of Township Supervisors to the PIO (Public Information Office) for their TV Cable Channel and Website.

Chairperson Garzillo said two large tents were installed at Norview Farms for the Farmer's Market that will move there in May. She also mention that they are limiting the Township Pool membership to residents first and membership is almost full, if there are some spots open when the season starts they may open registration to neighboring townships. Finally, there will be a Ribbon Cutting Ceremony 4 pm on April 27th at Volpi Commons for the completion of the Crow Creek Trail. Also, on April 30th there will be a block party for Chop at the Town Center Village of Valley Forge between 1 pm to 4 pm for receiving a donation.

PUBLIC COMMENTS: None

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Supervisor Phillips, seconded by Vice-Chair Jenaway, all voting "Aye" to adjourn the meeting at 8:30 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered:

