

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
OCTOBER 12, 2023

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, October 12, 2023, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:10 p.m., followed by a pledge to the flag.

ROLL CALL:

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

MEETING MINUTES:

September 7, 2023 – Zoning Workshop
September 7, 2023 – BOS Workshop
September 14, 2023 – Business Meeting

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Kenney, all voting "Aye" to approve the Minutes. None opposed. Motion approved 5-0.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo stated that there was an executive meeting before tonight's Business Meeting to discuss personnel matters. Mrs. Garzillo was saddened to say that resident and longtime volunteer Ms. Hedda Schupak, who served on the Zoning Hearing Board passed away on October 3rd. Chairperson Garzillo also stated that on September 29th resident Donald Burgess who was also an employee of Upper Merion Township for 32 years passed away. Don worked in the Public Works Department as Project Coordinator. Both Hedda and Don will be greatly missed and on behalf of the Board and Township Family she sends condolences to their families.

CITIZEN BOARD VACANCIES:

Chairperson Garzillo gave an update on current vacancies on the Upper Merion Citizen Boards.

CC Advisory Board Student Member	- 1 Vacancy
Economic & Comm Dev Committee	- 2 Vacancies
ECDC Student Member	- 1 Vacancy
Environmental Advisory Council	- 1 Vacancy
Farmers Market Student Member	- 1 Vacancy
Human Relations Commission	- 2 (Alternates)
Media Advisory Board Student Member	- 1 Vacancy
Public Safety Citizen Advisory Board	- 1 Vacancy

- Public Safety Board Student Member - 1 Vacancy
- Shade Tree Comm. Student Member - 1 Vacancy
- Upper Merion Foundation Sub-Committee - 1 Vacancy
- Upper Merion Historical Commission - 3 Vacancies
- UM Historical Comm. Student Member - 1 Vacancy
- Zoning Hearing Board Alternate - 1 Vacancy

AMENDING THE AGENDA:

Chairperson Garzillo said that Vice-chair Jenaway would like to amend tonight's Agenda and turned the floor over to him. Mr. Jenaway made the motion to modify the Agenda by removing numbers 3 and 4 from the Consent Agenda and making them stand-alone items.

Board Action:

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

NEW BUSINESS:

A. RESOLUTION 2023-33 – Resolution in Support of Israel's Humanitarian Crisis.

Supervisor Waks read the Resolution then spoke about the Israel Flag hanging half-mast in front of the Township Building to show support. He then explained the difference between anti-Zionism and anti-Semitism. He also thanked the Board and everyone that has reached out and asked everyone to offer a prayer for the safety of everyone involved in this conflict, including residents of Gaza who are innocent and have no ties to Hamas. Finally, he said if anyone wants to help those in Israel who are suffering from terrorism to go to the Greater Jewish Federation of Philadelphia's website.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to adopt Resolution 2023-33. None opposed. Motion approved 5-0.

B. PROCLAMATION re: Fire Prevention Month – October, 2023.

Chairperson Garzillo mentioned that Volunteer Firefighters have been dwindling in Upper Merion Township as well as nationwide and unfortunately there has been an increase in the number of fire calls in the Township. She said back in 2018 the Township hired six (6) career firefighters and have been adding more each year. Tonight, after the Proclamation was read by Vice-chair Jenaway Chief James Johnson presented some awards and promotions to the volunteer firefighters.

Vice-chair Jenaway called Chief Johnson to the podium where he thanked him and Swedesburg Fire Company for the great expo they had recently at the Giant's Supermarket's parking lot. He also congratulated Swedesburg and King of Prussia Fire Stations for being awarded the Fire Prevention

Award by the State of PA in different categories at the State Fireman's Association Annual Conference in Harrisburg. Vice-chair Jenaway mentioned that Swedeburg has won this award twenty times and King of Prussia has won it twenty-five times throughout the years and on behalf of the Board he thanked everyone in the organization for their service.

Chief Johnson thanked Mr. Jenaway, the rest of the Board Members and Township Manager Tony Hamaday. He then greeted everyone in the audience and thanked them for attending the annual awards presentation. Chief Johnson also thanked Chief Nolan, Director of Public Safety for his support over the past 18 months. The Township has faced numerous challenges with staffing and apparatus but as a team they have overcome those challenges maintaining a fleet of equipment and personnel ready to serve our community.

Chief Johnson asked all attendees to give a round of applause to the Board of Supervisors, Township Manager and Chief Nolan for all their support, which makes the difference between adequate and excellent service as our community grows. Finally, he said they have a lot to celebrate tonight with Years of Service Awards, Firefighter and EMS Provider's Year Award and the swearing in of two additional EMS Providers as well as promotions.

C. PUBLIC SAFETY DEPARTMENT PROMOTION: Corey Felker – EMS Captain.

EMS Corey Felker was promoted to Captain. Corey he has been a paramedic for 11 years, 4 years have been with Upper Merion Township and he received the Mary Bacchi Award in 2022. Corey exhibits professionalism and provides high quality ALS care, has served as acting Captain when needed and is the Field Training Officer. Corey is joined here with his wife and two daughters while District Justice James Gallagher administered his oath.

D. SWEARING-IN OF PARAMEDIC CHRISTIAN REINER & EMT JASON IVEY.

Christian Reiner graduated Springfield High School and lives in Upper Dublin, PA. He comes from the Ambler Ambulance Squad, which he served for 19 years and has been part-time with Upper Merion Township for 4 years since our formation in the department in 2019. Christian will serve as the paramedic in the D Platoon and is joined here with his wife and son while District Justice James Gallagher administered his oath.

Jason Ivey graduated Conestoga High School and lives in Devon, PA. He recently graduated from Muhlenberg College in Allentown, PA with a Bachelor of Science degree in neuroscience with a concentration in pre-medicine. He volunteers as an EMT at Berwyn Fire Company in PA and will serve on the B Platoon Power Shift as an EMT for Upper Merion. Jason is joined here with his parents Brian and Phyllis while District Justice James Gallagher administered his oath.

E. PRESENTATION RE: UPPER MERION FIRE AND EMERGENCY SERVICE AWARDS.

Chief Johnson asked Deputy Fire Marshal Bill Daywalt and Deputy Chief Blaine Leis to help him distribute the Years of Service Awards. There are 23 members receiving their Service pins tonight, representing from 5 years all the way to 55 years for service.

5 yrs. 2 members from Swedesburg
 10 yrs. 1 member from Swedesburg, 3 from Swedeland & 1 EMS member
 15 yrs. 1 member from Swedesburg and 1 from Swedeland
 20 yrs. 1 member from Swedesburg and 3 from King of Prussia
 25 yrs. 3 members from King of Prussia
 30 yrs. 2 members from Swedeland and 1 from King of Prussia
 40 yrs. 1 member from Swedesburg
 50 yrs. 2 members from King of Prussia
 55 yrs. 1 member from Swedesburg

**F. PRESENTATION OF THE BERNARD S. GUTKOWSKI, SR.
 FIREFIGHTER OF THE YEAR AWARD TO CHRISTIAN MONTERO.**

Chief Johnson called Chief Gallagher from the KOP Fire Station to present the Firefighter of the Year Award to Captain Chris Montero, who has volunteered at the King of Prussia Fire Station since 2015. Chris received his Firefighter level one certificate, his vehicle rescue certificate and completed his hazardous materials operations requirements all in one year, which is a record amount of time as these accomplishments usually takes a couple of years. Chris proficiently participated and completed both individual and team assignments becoming a team leader. He applies his knowledge and skills on emergency scenes with competency. Chris was promoted to Lieutenant and then Captain.

Finally, Chief Gallagher called Firefighter Bernie Gutkowski, Jr. to present Chris Montero with the Bernard S. Gutkowski, Sr. Firefighter of the Year Award which was named after Bernie's father.

**G. PRESENTATION OF THE MARY BACCHI EMERGENCY MEDICAL
 SERVICES RESPONDER OF THE YEAR AWARD TO CHARLES DAVIS.**

Chief Johnson called Darryl and Cheryl Bacchi to join him at the podium to help present their mother's Mary Bacchi Emergency Medical Services Responder of the Year Award. This Award was instituted in 2013 for members of the Upper Merion Township Fire and EMS Department for outstanding Emergency Medical Service. Chief Johnson called Paramedic Charles (Chuck) Davis to the podium to receive the Mary Bacchi Award. Chuck received his paramedic certification in 2013 and joined Upper Merion Township in 2019. He graduated from Temple University with a Bachelor's Degree in Biology.

Chuck also serves as a tactical paramedic with Montgomery County Special Weapons & Tactics Central Region Unit and is also an EMS Field Training Officer. Paramedic Davis was born in Conshohocken and now resides in Birdsboro, PA with his wife Anna. He loves farming and shares his home-grown vegetables and fresh eggs from his chickens with members of his platoon. His dedication and passion for providing high quality and effective emergency medical care to his patients is greatly recognized and appreciated.

After the Award Ceremony Chief Johnson thanked everyone and mentioned that the Township has just received two new emergency vehicles that are parked in the front of the building if anyone wanted to see them. Vice-Chair Jenaway said the two state-of-the-art ambulances took two years to receive from purchase date. One will replace an old out-of-commission one and the other is to support additional crew that was hired.

H. PUBLIC HEARING – An Ordinance of Upper Merion Township, Montgomery County, Pennsylvania, renaming Chapter 4 as “Collection Fees” and providing for attorney fees, collection fees, costs, and interest to be added for unpaid municipal claim collections for delinquent accounts.

Solicitor Kallie Melchior closed the regular meeting to open the hearing to provide clarification of the collection fees for unpaid municipal claims and collections for delinquent accounts. Ms. Melchior went on to mark the exhibits as follows:

1. The Ordinance Itself
2. Proof of publication in the Times Herald dated Sept. 28th & Oct. 5th
3. Proof of submission to Montgomery County Law Library on Oct. 4th

Ms. Melchior explained the original fee schedule the Township has currently, which have been in place since 1996, stating there's a \$60 fee for preparing and filing a municipal lien and satisfaction and any additional legal services rendered in connection will be billed at the current hourly rate. The new Ordinance would provide specific price caps for the fees for each service providing more clarity and accountability for those instances where collection process is initiated when delinquent claims have been ignored after proper notice has been issued.

Supervisor Waks said he hates that the Township has to use a bill collector because some people just won't pay their bills which makes everybody else incur the cost and doesn't help our system. Chairperson Garzillo mentioned with not having enough staff it has become burdensome for Township staff to be able to go through the collection process internally and by hiring a third party to take care of delinquency sewer bill is necessary. This new Ordinance will safeguard excessive charges by the attorneys so everyone knows what to expect.

PUBLIC COMMENT:

Resident Gordon Polley from 679 Crestwood Road has two properties in the Township, his residence and a rental property. He said when he paid both of his bills the clerk put the payment all towards one property which made the other delinquent; the Township did correct it but his concern is what happens again, who does he contact. After a long discussion Chairperson Garzillo said to contact the Township.

Resident Garrett Haney from 439 Brookwood Road wanted clarification about the difference between the Township fees and Portnoff's fees. Supervisor Philips said that Portnoff would be following the Township fee schedule. Mr. Haney said the fees seem excessive for what's involved and it would just be cheaper to hire more staff then to use a third party. The Board disagreed and moved on.

With nothing else to be said Ms. Melchior closed the hearing and reopened the regular meeting so the Ordinance could be voted on by the Board.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Kenney, all voting "Aye" to adopt the new Ordinance. None opposed. Motion approved 5-0.

I. CONSENT AGENDA re:

1. Resolution 2023-29 – Disposition of Township Records.
2. Memorandum of Understanding with the King of Prussia Mall for 2022 Police Services – Consideration of a Memorandum of Understanding with the King of Prussia Mall for the payment and reimbursement of costs for additional police coverage at the Mall Complex for the period of 10/1/2023 – 12/31/2024.
3. Resolution 2023-31 – Disposition of township Vehicles to J. J. Kane Auctions of Plymouth Meeting for an estimated sale value of \$37,000.
4. Resolution 2023-32– Reduction of Police officer contributions to the Police Pension Plan for the year 2024 to 4%.
5. Public Safety Department Capital Equipment Purchase – Authorization the ordering and purchase of two (2) F550 replacement ambulances for delivery in 2025 in the amount of \$680,000 from the Fire Apparatus Fund.
6. Authorization for additional funding – Street Sweeper Purchase. To authorize additional funds in the amount of \$24,206 from the Township ARPA funds along with \$298,210 in LSA Grant funds to complete the purchase of the new Johnston Street Sweeper.
7. Capital Equipment Purchase – Authorization the ordering and purchase of a replacement emergency generator for the Township Building for delivery in late 2024 in the amount of \$385,000 through State or Costars contract utilizing Capital Equipment and ARPA funds.
8. Abrams PS, Valleybrook PS & Trout Run WPCC MPS Upgrades: Approval of Change Order #2 for additional costs associated with the wet tap/line stop work activities at Abrams PS in the amount of \$18,256.00 to Blooming Glen Contractors, Inc. of Perkasio, PA, as recommended by the Director of Public Works.
9. Township Building Cooling Tower Replacement: Approval of Payment Application #3 in the amount of \$9,439.43 from West Chester Mechanical of Aston, PA for contract work completed to date.
10. Township Building Boiler Replacement: Approval of Payment Application #3 in the amount of \$74,488.50 from West Chester Mechanical of Aston, PA for contract work completed to date.
11. Approval of Engagement Letter for Marcum LLP for the conducting of Township Business Privilege Tax compliance audits in accordance with the terms of the engagement letter as recommended by the Director of Finance.
12. Approval of Deed of Dedication – New Leo M. Ross Park, Parcel # 58-00-01969-04-3, Ross Road. Acceptance of a deed of dedication form Toll Bros, Inc for the new Leo M. Ross Park parcel as part of the Stone Brook at Upper Merion Development and the authorization to terminate the lease for the former park area.

13. Budget Transfer: \$22,000.00 from 0143-2452 Snow Removal Material to 01430-4580 Annual Resurfacing to fund ADA ramp design work associated with the Township's 2023 Road Program.
14. Budget Transfer: \$20,000.00 from 01430-3170 Snow/Ice Control to 01430-2456 Street Light Supplies to fund parking lot/area lighting upgrades at the Township Building.
15. Budget Transfer: \$15,000.00 from 01430-3170 Snow/Ice Control to 01430-4585 Line Painting to fund additional long line painting and intersection markings throughout the Township.
16. 2023-2026 Dry Hydrated Lime Supply Contract: Award of the Township's lime supply contract to Graymont, Inc. of Bellefonte, Pennsylvania for the estimated contract amount of \$191,248.50 as recommended by the Director of Public Works.
17. Award Upper Merion Township Wastewater Chemical Supply Contract to Award of the Township's liquid sodium hypochlorite supply contract to Buckman's Inc. of Pottstown, Pennsylvania for the estimated contract amount of \$522,750.00 as recommended by the Director of Public Works.
18. Kerrwood Drive Culvert Repairs: Approval of Payment Application No. 1 in the amount of \$264,495.00 to National Gunite of Johnstown, PA for the completion of all contract work activities.
19. Abrams PS, Valleybrook PS & Trout Run WPCC MPS Upgrades Project: Approval of Payment Application No. 2 in the amount of \$13,580.00 to PSI Pumping Solutions, Inc. of York Springs, PA for electrical contract work completed to date.
20. First Avenue Linear Park Phase II Project: Approval of Payment Application No. 8 in the amount of \$119,126.11 to Road-Con, Inc. of West Chester, PA for contract work completed to date.
21. Land Development Plan Review Extension – Abbonizio Real Estate Partnership – 316 W. Church Road. Accept letter of extension from Abbonizio Real Estate Partnership for the review of the proposed Land Development Plan to January 15, 2024.
22. North Gulph Road Trail Extension Design Consultant – Boles Smyth Associates. To approve a proposal from Boles Smyth Associates for the North Gulph Road Trail extension design in the amount of \$189,984.32 to be reimbursed by the National Park Service as part of the Cooperative Management Agreement for the trail extension design project.
23. Appoint Chiragi Raval to the Zoning Hearing Board to fill an unexpired term ending 1/1/2027.

PUBLIC COMMENT: None

Board Action:

It was moved by Vice-chair Jenaway, seconded by Waks, all voting "Aye" to approve the Consent Agenda. None opposed. Motion approved 5-0.

J. DELINQUENT SEWER FEE CLAIMS COLLECTION CONTRACT – PORTNOFF LAW ASSOCIATES, INC. APPROVE A CONTRACT BETWEEN UPPER MERION TOWNSHIP AND PORTNOFF LAW ASSOCIATES, LTD. FOR COLLECTION OF DELINQUENT MUNICIPAL SEWER CLAIMS PURSUANT TO THE PROVISIONS OUTLINED IN THE CONTRACT AS RECOMMENDED BY THE DIRECTOR OF FINANCE AND TOWNSHIP MANAGER - RESOLUTION NO 2023-30 - APPOINTMENT OF SPECIAL COUNSEL FOR UNPAID DELINQUENT SEWER FEE COLLECTIONS. ADOPTION OF RESOLUTION NO 2023-30 APPOINTING MICHELLE R. PORTNOFF, ESQ., AS SPECIAL COUNSEL FOR THE TOWNSHIP FOR THE PURPOSE OF COLLECTION UNPAID DELINQUENT SEWER FEE ACCOUNTS:

Supervisor Philips said he is not thrilled the Township has to hire a third party to collect the delinquent sewer payments but it is a necessary evil since there is over \$311,000.00 outstanding. He said even though it is distasteful it's not fair to those who pay their bills to pick up the burden.

Supervisors Kenney and Waks also agree with Supervisor Philips and Chairperson Garzillo said it was a hard decision they had to make but they made sure there's an escape clause if it didn't work out beneficially the Township can get out of it. Vice-chair Jenaway said if someone is being obstinate by just not paying their bill then the Township had no other alternatives and if there is a legitimate reason the Township will work out a payment plan for them.

PUBLIC COMMENT:

Resident Robert Bradway from Langdale Court feels that if you would actually shut off people's water that would motivate them to make payment then by just threatening them by adding delinquent fees which the third party would take part of. Also, even if you make a payment plan things change and payments stop again, he said he knows because he was a bill collector for many years.

Mr. Garrett Haney spoke again asking the Board to clarify their other option. Supervisor Kenney said the other option is to hire a full-time employee to handle the volume of bills and it is cheaper for the Township to pay a third party. Mr. Haney said that he had to deal with two debt collectors, Tri-State and Berkheimer and it was a nightmare. Even though he didn't owe anything it took months and he thinks it's a bad ideal to go with a third-party debt collector and asked the Board to reconsider.

Resident Merri Hansen from 15 West Church Road said she agrees with the other commenters, that once you start a contract it can become entrenched. It is easier just to renew than to start researching another option especially when new Supervisors get elected. She feels we should only use them to take care of the backlog and in the future to be more diligent in collecting delinquent by using the water cutoff process. Also, she asked if there was a cost to the Township to use the Escape Clause. Mr. Hamaday said the Township has to give them 90 days' notice and allow Portnoff to finish collecting whatever accounts that have been enacted. Finally, Ms. Hansen mentioned while researching Portnoff she discovered some class action lawsuits from other Townships against them from Bethlehem and Allentown in 2003 and 2005. Though this was awhile ago they did have large judgments for unethical, inappropriate and predatory business practices.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Waks, to approve Resolution #2023-30 and the contract engaging Portnoff Law Associates, Ltd. to collect delinquent sewer payments. Motion approved 4-1.

K. MANCILL MILL TOWNHOUSE DEVELOPMENT, 850 MANCILL MILL ROAD - AMENDMENT TO VOLUNTARY RESTRICTIVE COVENANT FOR ARCHITECTURAL BUILDING ELEVATION DESIGN. TO APPROVE AN AMENDMENT TO THE VOLUNTARY DECLARATION OF RESTRICTIVE COVENANT OF THE MANCILL MILL ROAD COMPANY FOR THE TOWNHOUSE DEVELOPMENT MODIFYING THE BUILDING ELEVATIONS SHOWN IN NEW EXHIBIT 1 SUBJECT TO COMPLIANCE WITH THE CURRENT SM-1 BUILDING HEIGHT RESTRICTIONS:

Mr. Ari Christakis representing developer J.P. Orleans is asking for an amendment to the existing architectural restrictive covenant. He said the project engineer, Adam Brower is present and will distribute handouts with the updated documents. Also, along with Ari and Adam is Mr. Larry Dugan from J.P. Orleans and Lori Sanders, architect to answer any questions the Board may have.

An updated key plan showing the relevant section of the land development plan, which identifies where the various units would be located on the site was presented. Supervisor Philips asked to see the copy of the original plan so they can compare the differences. There was originally two 28 ft. wide two-story units and now they would like two 24 ft wide three-story units. It was noted that they will be keeping the same footprint and number of units which is 119 units.

Vice-chair Jenaway asked our Township Engineer, Leanna Colubriale if J.P. Orleans plans and stats stayed the same and she confirmed that the new plan fits in the same box. The height is still under the 40 ft. at the highest point and setbacks remain the same, just the style is changing from traditional to a farmhouse look.

Supervisor Waks stated that he would not approve the changes due to developers, not just J.P. Orleans but others that get approval to build something then come back with changes. Chairperson Garzillo agreed with Supervisor Waks. Supervisor Kenney said she has no problem with the change in style as long as it stays within the original footprint and nothing else changes. Vice-chair Jenaway agreed with Supervisor Kenney as long as the new plan will definitely comply to the original layout and reiterated that's why he asked earlier if they are sure there won't be unanticipated situations once construction starts.

Mr. Christakis said there is one particular area at the northwest corner of the property near the retaining wall. Currently the plan shows three-story units that aren't as deep and switching them to be two-story units that are deeper if that can be accommodated.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Philips, to approve the Amendment to the Mancill Mill Townhouse Development. Motion approved 3-2.

L. APPROVE TOWNSHIP SOLICITOR TO ATTEND THE OCTOBER 18, 2023 ZONING HEARING BOARD TO OPPOSE THE 665 S. GULPH ROAD APPLICATION.

The Board of Supervisors feel even though combining three parcels into one gives the developer by right to build, the proposal is too dense. Weadley Town Road on one side is a dead end and too narrow to turn around and Weadley Road has a hill and a curve which is already well traveled. Chairperson Garzillo said it is a neighborhood mixed use zoning and they may have the right to build there but this is not the right location/property for a dense development.

Resident Gordon Powell from Crestwood Road which is very close to Weadley Road agrees with the Board stating the development will be an accident and traffic snarl waiting to happen. Especially that they want to put three (3) driveways there, people trying to cross over to get to the park as well as cars cutting through is going to be very dangerous.

Resident Mariann Ahearn from 19 Weadley Road said she drives that road every day and it's a blind curve with no room on the side to walk. This is already a busy road and when the Schuylkill Expressway backs up people use South Gulph Road as an alternative and cut through Weadley Road. In her opinion, if the development happens it's going to be a disaster for everyone involved.

Resident Margaret Murray from 411 Weadley Road said she is surprised that this project has advanced this far before there was any kind of opposition made. She doesn't understand why only residents within 500 ft. of a project get notified, it's kind of arbitrary to assume that those people are the only ones that are impacted. Ms. Murray said she lives on Weadley just past the 500 ft. cutoff and her as well as all her neighbors didn't find out about this project until September 24th. She said she would like the Township to revisit how the approval processes get presented and how the community is made aware so we can make our opposition known before it's too late. In addition, she agrees with the other concern residents that this development will be too dangerous especially with the tenants having to cross the street at a curve to go to the dog park and parking lot.

Chairperson Garzillo said that the Township legally doesn't have to notify the Public about Zoning Projects but as a curtesy they do mail notices to properties within 500 ft. Also, if you want to be more informed she suggests to attend the monthly Workshops and to check the Agendas that are posted on the website each month.

Resident Tom Gramick from Raven Road said since this was discussed and decided at a Workshop meeting with a Zoning Board Member that owns one of the properties is wrong on every level. Then he went on to say the Board of Supervisor are ultimately responsible.

Resident Garrett Haney from 439 Brookwood Road said he doesn't live far from Weadley and drives that way several times a day at 25 mph due to people who have gotten a little crazy with it being a cut through. He mentioned how bad that intersection is with people veering off the road and driving onto the hill to turn right. Also, if you move the intersection up the road where the curve is, people are going to get killed with trucks driving 45 mph they are not going to see someone crossing the road.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Kenney, all voting "Aye" to approve the Township Solicitor to attend the October 18th Zoning Hearing Board. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLLS:

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 September 7, 2023 through October 4, 2023 Payrolls dated September 1st and 15th of 2023 for a total of \$3,017,716.82. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Supervisor Philips mentioned about the 3 openings for the Historical Society and talked about the rich history of Upper Merion.

Vice-chair Jenaway said that someone from the organization Working American might be knocking at your door. They do not sell anything nor will they solicit any funds. The purpose of their organized drive is to educate working people about issues that might affect them. They received permits from the Police Department and they are exempt from the Do Not Solicit sticker you might have on your door. If you don't want to engage with Working America staffers then don't answer your door when they knock.

Supervisor Kenney wanted to remind everyone about the Townships ban on plastic bags and certain takeout containers starting January 2024. She said the Township will be handing out 5,000 reusable bags to residents to assist them with the change. Next she talked about the Rain garden that will be at Sunny Hill Farm off of Henderson and Ross Roads in the Spring.

Chairperson Garzillo said the regular season for the Farmers Market ended September 30th with their Chili Cookoff and the winter market will begin on Friday, December 15th. They will be skipping the month of November and the market will now be held on the 3rd Friday of each month at the Nor View Farm. Then she said the Fall Leaf collection will start October 30. Finally, she stated the Nor View Farm water vending will permanently be closed and you can read the press release on the Township website.

PUBLIC COMMENT:

Resident Mrs. Janet Barcaro from Redwood Road wanted to know if the Bid went out for the Brownlie Road Bridge. Mr. Hamaday said it will be posted on Penn Bid, which is a bidding platform the Township utilizes and they should have a recommendation for the Board at the November meeting. She asked if there was a street sketch of the bridge and if it included sidewalks. Mr. Hamaday said he has an aerial view of what it will look like and if the Board is okay with it he will have it posted on the website.

Mr. Garrett Haney from Brookwood Road spoke again about the legal minimum requirements the Township has to get information out and he is aware of the Township Newsletter letter but he would like something more sufficient. The Township website is hit or miss and hard to find some items and you would have to keep checking it to see if something changes, which is time consuming. He suggests a page on the Township Website where a resident could enter their

email address so when something happens or changes it would generate a mass email to those who signed up. He feels the Township calendar should be integrated with all the tools he already lives with in his life with like Google Push.

Resident John Dano from 750 Hobbs Road inquired about the violation and stop work order on property 730 Hobbs Road that was issued in March. He said it's now October and would like to know what's going on with the violation, and if the stop work order has been lifted.

Solicitor Kalie Melchior advised the board not to make any comments due to the potential threat of litigation on the matter but the Township Manager can give a brief update. Mr. Hamaday told Mr. Dano that the Township does not have an approved plan yet for the limited disturbance. He said the Township has been meeting and working with the owner Mr. Costello, his architect, engineer and attorney. The plan is currently being reviewed by the Township Engineer, Remington & Vernick, however there is going to be some changes to that plan. Mr. Costello made arrangements to connect to the sewer system in Tredyffrin Township, which eliminated the need for the disturbance for the online system that was originally proposed. So, Upper Merion is waiting for the revised plan to be submitted before the work can resume.

Mr. Dano then complained that the Township has not responded to his four RTK requests. Mr. Hamaday said he already spoke to Mr. Dano about the RTK's and said once the Township receives the updated plan he will let Mr. Dano know.

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to adjourn the meeting at 10:42 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered: