

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
DECEMBER 7, 2023

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, December 7, 2023, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:32 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, John Walko, Esq., Solicitor's Office, Jarrett Lash, Township Planner and Leanna Colubriale, Township Engineer.

MEETING MINUTES:

November 2, 2023 – BOS Workshop

Board Action:

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

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo mentioned that there was an Executive Session prior to this meeting to discuss litigation.

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	- 1 Vacancies
ECDC Student Member	- 1 Vacancy
Farmers Market Student Member	- 1 Vacancy
Human Relations Commission	- 2 (Alternates)
Media Advisory Board	- 1 Vacancy
Media Advisory Board Student Member	- 1 Vacancy
Public Safety Board Student Member	- 1 Vacancy
Upper Merion Foundation Sub-Committee	- 1 Vacancy
Upper Merion Historical Commission	- 2 Vacancies
UM Historical Comm. Student Member	- 1 Vacancy
Zoning Hearing Board Alternate	- 1 Vacancy

NEW BUSINESS:

A. PRESENTATION BY TAX COLLECTOR EVELYN ANKERS:

Ms. Ankers said after she was sworn in as Upper Merion's new Real Estate Tax Collector in 2021. She stated she reinstated in-person collections for the School District, Township and County. She has hours twice a week at the Township Building totaling 4 hours plus she has hours at the Valley Forge Towers and the Senior Center for people to come pay their bills or to ask questions. She also installed a Lockbox in the Township building across from the Cashier Window so residents can drop off their payments any day and she created a website so tax payers can pay their taxes online. There is also a lot of information they can find on the website as well as being able to contact her if they have questions.

In addition, Ms. Ankers stated that she has collected 99.5% of the taxes in 2022 and as of 2023 she has collected 98% so far and is waiting for a large corporation to pay after they refinance. With three weeks remaining in 2023 she is hoping to close the year with over 99% collection again.

The Board of Supervisors thanked Ms. Ankers for her service and for installing the Lockbox which has made it easier for the residents.

B. PUBLIC HEARING – An Ordinance amending Chapter 140 A & B – Stormwater Grading & Erosion Control. Consolidation of current Chapter 140A and 140B of the Township Code into one Chapter with additional provisions for Green Infrastructure and Low Impact Development:

Solicitor John Walko closed the regular meeting to open the hearing for the new Ordinance which includes three exhibits.

1. The Ordinance itself
2. Proof of publication for the Legal Notice in the Times Herald dated November 22 and 29, 2023
3. Proof of submission to Montgomery County Law Library on November 16, 2023

Next Mr. Walko explained that this Ordinance will combine both chapters from 140 A (Residential) and B (Commercial) into one ordinance which will make it easier to administer. The revised Ordinance includes environmentally friendly changes under the Stormwater chapter and also certain corrections and additions that are required to stay updated with PA DEP requirements.

Mr. Hamaday said by doing this they will be able to meet the minimum requirements of the State MS4 Program as well as the Clean Water Act. There are also some provisions for Green Infrastructure as well as Ground Water Recharge to stay in compliance with some exceptions for Single Family Dwellings. If the parcel doesn't have enough room to fit a Stormwater basin then they can pay a Fee in Lieu of so the Township can do a regional facility nearby.

Mr. Walko asked if there were any comments from the Public or the Board and with there being none he closed the Hearing to resumed the meeting for the Board to vote on the Ordinance.

Board Action:

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

C. CONSENT AGENDA re:

1. Resolution 2023-35 – Establishing the fixed dollar amount to be excluded from taxation for each Homestead Property in Upper Merion Township for calendar Year 2024.
2. Resignation of Portia Waller from the Media Communications Advisory Board.
3. UMT 2023 Road Program: Approval of Payment Application No. 1 – Final Payment Request in the amount of \$1,583,200.51 to Allan Myers of Worcester, Pennsylvania for the completion of contract work.
4. Deed of Dedication – Shoemaker Road. Acceptance of the deed of dedication from Gulph Mills Business Center, LP., for the right-of-way of Shoemaker Road between Henderson Road and Yerkes Road.
5. Linear Park Phase 3 Lighting Contract Award – Hobbs & Co. Awarding of the Linear Park Phase 3 Lighting Contract to Hobbs & Company of Boothwyn in the amount of \$385,000 being the lowest responsible/compliant bidder.
6. Financial Escrow Security Release No. 1 – Top Golf USA KP, LLC., Lot 2 – Approval of Escrow Release No. 1 in the amount of \$ 256,314.00 for the completion of required site improvements to date as part of the Land Development project as recommended by the Township Engineer.
7. Citizen Board Appointments:
 - a. Joel Miner to the Environmental Advisory Council
 - b. Sam Montich to the Shade Tree Commission – Young Adult Member
8. Land Development Plan Review Withdraw – Mancill Mill Company, Mancill Mill Road. Accept letter of withdraw from the Mancill Mill Company for the review of the proposed Land Development Plan (Phase II – Warehouse).

Board Action:

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

Supervisor Kenney mentioned after the Board approved the Consent Agenda that Item 1, the Homestead Exclusion, is voluntary and most Township's don't do it. By Upper Merion allowing this exemption at the maximum allowed which is \$72,500.00 per household, it saves the average resident about \$300.00 per year.

- D. FINANCIAL ESCROW SECURITY RELEASE No. 4, GENTERRA, COLUMBUS STREET - Approval of Escrow Release No. 4 in the amount of \$3,180.00 for the completion of required site improvements to date as part of the Land Development project as recommended by the Township Engineer.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Waks, all voting "Aye" to release Escrow No. 4 for Genterra, Columbus Street. None opposed. Motion approved 5-0

- E. Resolution 2023-36 - Approval of the 2024 Fire Fighter Stipend Program in the amount of \$303,720 and authorization to include in the 2024 Township General Fund Operating Budget.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Philips, all voting "Aye" to approve the 2024 Fire Fighter Stipend. None opposed. Motion approved 4-0 due to Vice-chair Jenaway abstaining because he is part of the Fire Program.

- F. Redevelopment Capital Assistance Program Cooperative Agreement, Sub-Grantee Agreement & Indemnification Agreements – 411 Swedeland Road Phase 1 Infrastructure Project. Approval of a Cooperative Agreement and Sub-Grantee Agreement between the Redevelopment Authority of Montgomery County, Innovation 411 fee owner, LLC, Innovation 411 Senior, LLC and the Township and an Indemnification Agreement between the Township and Innovation 411 fee owner, LLC, Innovation 411 Senior, LLC.

Board Action:

It was moved by Supervisor Waks,, seconded by Vice-chair Jenaway all voting "Aye" for Phase 1 Infrastructure Project at 411 Swedeland Road. None opposed. Motion approved 5-0

G. Hearing and Adoption of 2024 Budget:

1. Resolution 2023-37 re: Adoption of 2024 Township General Operating & Capital Improvement Budgets.

Before Mr. Walko closed the Public meeting for the Hearing to Adopt the 2024 Budget, Chairperson Garzillo explained the need for the small tax increase. Then, she compared the Montgomery County's portion for 2024 with an increase to 5.178 millage to Upper Merion Township portion which will be a 4.461 millage rate stating it is .72 lower than the County's rate. Next, Mr. Walko asked the Board and the Residents if they had any questions and since there was none he closed the Hearing and re-opened the Public meeting.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Kenney all voting "Aye" to adopt the 2024 General Operating & Capital Improvement Budget as presented. None opposed. Motion approved 5-0

2. Adoption of Sewer Revenue Fund Budget.

Before the Board voted to adopt the Sewer Revenue Budget Supervisor Kenney explained that Upper Merion's Sewer Bill in January will not include the Stormwater portion as originally planned due to waiting to hear the decision from the State Supreme Court on whether the Stormwater amount is considered a Fee or a Tax.

Board Action:

It was moved by Supervisor Philips, seconded by Vice-chair Jenaway all voting "Aye" to adopt the 2024 Sewer Revenue Budget. None opposed. Motion approved 5-0

PUBLIC COMMENT: None

ACCOUNTS PAYABLE & PAYROLLS:

Board Action:

It was moved by Vice-Chair Jenaway, seconded by Supervisor Waks, all voting "Aye" to approve the Accounts Payables for invoices processed from November 2nd through 29th of 2023 and Payrolls dated November 10th and 24th of 2023 for a total of \$4,871,739.24. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Vice-chair Jenaway thanked the Public Works employees on the great job they are doing with Leaf Collection.

Supervisor Waks stated that the BCA Grants are now open for Organizations and Students to submit until April 1, 2024. In addition, this year High School Juniors as well as Seniors can also submit an application for a Scholarship.

Supervisor Kenney also thanked the Public Works employees for the Leaf Collection and all the other projects they help with while preparing for different programs and activities in the Township. Ex: doing the prep work for the Rain Gardens etc. She also reminded residents about the new Single Use Bag Ordinance that starts January 1, 2024 as she displayed a green tote bag. The Township bought 5,000 totes with a grant they received along with donations from two sponsors, White Tail Disposable and Philadelphia Police & Fire Credit Union. The reusable bags are free for Township residents.

Supervisor Kenney also reminded everyone that Breakfast with Santa is Sunday, December 10th at the Swedesburg Fire Hall from 8am to 12 pm.

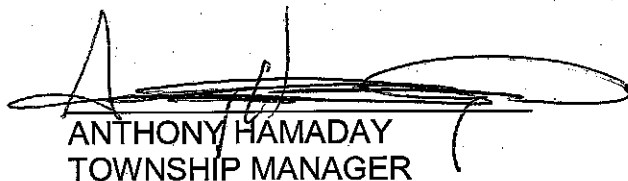
Chairperson Garzillo thanked employee Don Herbert, Director of Communication for designing the reusable green bags. She also thanked all the vendors and employees, especially Paige Wildasin for putting everything together for the Holiday Village that was held on December 9th at the Township building. In addition, she mentioned about the new night Farmer's Market which will be Friday, December 15th from 6 pm to 9 pm and will be held at NorView Farm once a month during the winter.

Finally, The Board of Supervisors wished everyone a Happy and Safe Holiday Season.

PUBLIC COMMENT: None

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Vice-Chair Jenaway, seconded by Supervisor Kenney, all voting "Aye" to adjourn the meeting at 8:28 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered: