

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
MAY 9, 2024

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, May 9, 2024, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:05 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; Jarrett Lash, Twp. Planner; John Walko, Esq., Solicitor's Office and Leanna Colubriale, RVE Township Engineer.

Meeting Minutes: March 07, 2024 – Zoning Workshop
 March 07, 2024 – BOS Workshop
 March 28, 2024 – Comprehensive Plan Workshop (Greg Philips was Absent for this meeting)
 April 04, 2024 – Zoning Workshop
 April 04, 2024 – BOS Workshop
 April 11, 2024 – Business Meeting (Bill Jenaway was Absent for this meeting)

Board Actions:

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

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo announced the Board will have an Executive Session after tonight's meeting to discuss legal matters.

CITIZEN BOARD VACANCIES:

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

CC Advisory Board	- 1 Vacancy
CC Advisory Board Student Member	- 1 Vacancy
ECDC Board Member	- 2 Vacancy
ECDC Student Member	- 1 Vacancy
Environmental Advisory Council	- 1 Vacancy
Farmers Market Advisory Board	- 1 Vacancy
Farmers Market Student Member	- 1 Vacancy
Human Relations Commission	- 1 (Alternates)
Media Advisory Board Student Member	- 1 Vacancy

- Property Maintenance UCC Board - 1 Vacancy (Alternate)
- 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 - 1 Vacancy (Alternate)

Before moving onto New Business Vice-chair Jenaway asked to add Item E-11 Appointment of New Citizen Board Members to the Consent Agenda.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Kenney, all voting "Aye" to add Item E-11 to the Consent Agenda. None opposed. Motion approved 5-0.

NEW BUSINESS:

A. RESOLUTION 2024-20 - LOCAL GOVERNMENT WEEK (April 8 -14, 2024):

This Resolution was read at last months Business Meeting but wasn't adopted at that time. Chairperson Garzillo asked for a Motion to adopt it tonight.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Philips, all voting "Aye" to adopt Resolution 2024-20 for Local Government Week. None opposed. Motion approved 5-0.

B. NATIONAL PUBLIC WORKS WEEK PROCLAMATION (May 19 – 25, 2024):

Supervisor Philips read the Proclamation titled "Connecting the World Through Public Works" and thanked all the Public Works Employees.

Board Action:

It was moved by Supervisor Philips, seconded by Vice-Chair Jenaway, all voting "Aye" to adopt Proclamation for National Public Works Week. None opposed. Motion approved 5-0.

C. PRESENTATION BY THE BOARD OF COMMUNITY ASSISTANCE TO ANNOUNCE 2024 BCA AWARD RECIPIENTS:

Mr. David Karen, Resident and Board Member of the BCA gave a synopsis of what the Board of Community Assistance does. The BCA was established in 2013 between a partnership with The Valley Forge Casino and Upper Merion Township to give back to the Community.

The board consists of a five (5) member board comprised of two (2) casino resort representatives and three (3) residents along with one (1) supervisor liaison and one (1) staff liaison. To date the BCA has awarded over 1.7 million dollars in Grants and Scholarships. He thanked the Valley Forge Casino representatives and the other two BCA members for all their help as well as Supervisor Waks and Ms. Gerri Vattimo, liaisons for Upper Merion Township.

Finally, he said there were 63 applicants and the BCA awarded all but one sport applicant, totaling \$207,116.79 in grants and scholarships given this year. There are 39 Organizations, 3 Sports Teams and 20 Scholarships given to High School Juniors and Seniors.

After Mr. Karen read all the recipient's names during the PowerPoint presentation made by Gerri Vattimo, Supervisor Waks thanked the BCA Board members for all their work and thanked the Valley Forge Casino for funding this Grant Program.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Kenney, all voting "Aye" to approve the 62 recommended Grants and Scholarships. None opposed. Motion approved 5-0.

D. CONTINUE CONDITIONAL USE HEARING – Westover Companies, 550 American Avenue for the conversion of the existing 3 story office building at 550 American Avenue in the KPMU Zoning District into a multifamily dwelling with 20 residential apartments.

Solicitor John Walko adjourned the meeting to continue with the Conditional Use Hearing for Westover Companies. He said the Township received a letter from their attorney Mr. Mark Damico requesting a continuance of this Conditional Use Hearing until the next BOS Business Meeting on June 13, 2024. Mr. Walko said Westover's Vice President of their Property Management Company, Mr. Dave McManus was unable to attend tonight's meeting, which was stated on record at the last meeting. So, Mr. Walko recommend that this be continued on the record until the June 13th business meeting at 7 pm.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Kenney, all voting "Aye" to grant the Continuance for Westover's Conditional Use Hearing. None opposed. Motion approved 5-0.

After the Boards vote Mr. Walko closed the Hearing and adjourned back into the Public Meeting.

E. CONSENT AGENDA re:

1. Smith Farms Stormwater Pipe Relining Project. Approval of a contract with SWERP, Incorporated of Bristol, PA in the amount of \$176,300, through the PA COSTARS Program, for the cured in place sanitary sewer pipelining of the Smith Farms Development which includes Winthrop lane, Tannery Dr and Sentry Lane using Capital Budget and ARPA funds as recommended by the Director of Public Works.

2. **Nor-View Farm Master Plan & Study:** Approval of a professional services agreement with ARRO Consulting, Inc. of Birdsboro, PA in the amount of \$56,000 for the development of a master plan, the analysis of on-site parking and traffic circulation, and an economic analysis of potential uses at Nor-View Farm.
3. **Norview Farms Retaining Wall Project – Phase 1.** Approval of a contract with GoreCon, Inc of Chalfont, Pa in the amount of \$267,430.32, through the PA COSTARS Program, for the installation of 120' of retaining wall at Norview Farm using Capital Budget and ARPA Funds as recommended by the Director of Public Works.
4. **Authorization to advertise proposed ordinance - electric vehicle charging station regulations.** Authorization to advertise a proposed ordinance amending the Township Subdivision & Land Development and Zoning Ordinance to provide new definitions and regulations for electric vehicle charging stations at the June 13, 2024 Business meeting.
5. **Financial Escrow Security Release– 3700 Horizon Drive - Approval of Escrow Release No. 9** in the amount of \$173,917.95 for the completion of required site improvements to date as part of the Land Development project as recommended by the Township Engineer.
6. **2024 Road Program Project.** Recommendation to Award the 2024 Road Re-Surfacing Project Bid to Highway Materials, Inc. of Malvern, PA in the amount of \$887,423.60 as recommended by the Director of Public Works and Bid Consultant.
7. **Allendale Road Pedestrian Bridge Inspection and Load Rating Study:** Approval of a professional services agreement with Bowman, Inc. of Exton, PA in the amount of \$43,500.00 for a revised inspection, development of a load rating and project cost estimates for the Allendale Road Pedestrian Bridge project as recommended by the Director of Public Works.
8. **Abrams PS Pumps & Controls Study PSA:** Approval of a professional services agreement with ARRO Consulting, Inc. of Birdsboro, PA in the amount of \$22,700.00 for the study of the existing pump station equipment and structure for the future replacement of dry-pit submersible pumps, as recommended by the Director of Public Works.
9. **Intersection Improvements Easement Agreement – Malvern School Properties, Inc. Mancill Mill Road – Approval of an easement agreement between the Malvern School Properties Inc. and the Township, including enjoining JPO Mill, LLC, for the traffic signal and intersection improvements at Mancill Mill & Valley Forge Roads as part of the Mancill Mill Townhouse development**
10. **Citizen Board Resignations:**
 - a. Dawn Lindberg from the ECDC
 - b. Joel Miner from the EAC
 - c. Koren Draper from the Farmers Market Board and ECDC
 - d.
11. **Appointment of New Citizen Board Member:**
 - a. Jaquelin Camp for EAC
 - b. Megan Leighton for Farmers Market Advisory Board

Board Action:

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

F. RESOLUTION 2024-22 - Amended Land Development Plan Approval – Exeter, 446 Swedeland Road . Modification of Truck traffic turning restrictions:

Solicitor John Walko said the Land Development for Exeter relates back to Resolution 2022-45 from November 2022 for an Industrial Warehouse at 446, 456 and 588 Swedeland Road. This approval had a Conditional Use attached that was agreed upon by the applicant stating that trucks leaving the warehouse grounds not to make a right-hand turn to avoid the residential area. When the plans went before PennDOT they preferred the trucks to make the right-hand turn so the applicant went back to the Planning Commission which came up with an amended condition. The Planning Commission will allow the right-hand turn to satisfy PennDOT as long as the applicant agreed to a truck routing plan which will prevent the trucks going through the residential neighborhood. Township Planner Jarrett Lash said there are still opportunities to provide off-site signage that would also prevent truck traffic from going into the area.

Mr. Walko said Resolution 2024-22 is amending the previous plan approval to remove the no right-turn out condition and imposing a truck routing plan condition instead and the actual plan that will be followed will be attached.

Board Comments:

Supervisor Philips brought up concerns about how the Township is going to police the trucks that ignore the signs. After a long conversation with input from The Board, Township members and the Applicant decided to setup a meeting with PennDOT to get more information.

Board Action:

It was motioned by Supervisor Philips, seconded by Supervisor Waks, all voting "Aye" to table Resolution 2024-22 until a further conversation with PennDOT. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Kenney, all voting "Aye" to approve the Accounts Payables for invoices processed from April 4, 2024 to May 1, 2024 and Payrolls dated April 12th and 26th of 2024 for a total of \$4,494,103..58. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS: None

Board Comments:

Supervisor Waks mentioned he had a routine colonoscopy and encourages everyone 45 and older to have this procedure because it can save their life.

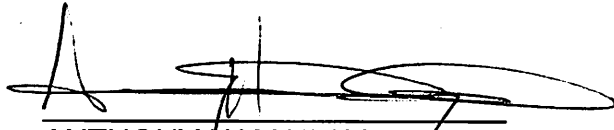
Vice-chair Jenaway wanted to remind everyone to be careful this coming Memorial Day with cooking out and fireworks. Most of all he asked the residents to think of all the US Citizens who lost their life fighting various wars for us and what we owe them. In addition, there was a graduation held at the Middle School for 12 new Firefighter EMT's who completed a comprehensive 10-week training program at the Montgomery County Fire Academy. These individuals enable our Township to fully staff one station and with our Volunteer Firefighters rotating among the other 4 stations allows the Township to have 2 pieces of equipment responding to emergencies.

Chairperson Garzillo reminded everyone that May 18th will start the 15th year for the Farmer's Market and the time is now 10 am until 2 pm each week. She also mention that Concert Under the Star's 38th season will start May 17th and there will be both paid and free concerts throughout the summer.

Public Comments: 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 8:23 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered: