

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
JULY 18, 2024

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, July 18, 2024, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:19 p.m., followed by a pledge to the flag.

ROLL CALL:

Supervisors present were: Greg Philips, Bill Jenaway, Tina Garzillo, and Greg Waks. Also, present was Anthony Hamaday, Township Manager; Amanda Lafty, Assistant Township Manager, Jarrett Lash, Township Planner; Kalie Melchior, Esq., Solicitor's Office and Leanna Colubriale, RVE Township Engineer. Absent was Supervisor Carole Kenney.

Meeting Minutes: June 6, 2024 – Zoning Workshop
June 6, 2024 – BOS Workshop
June 13, 2024 – Business Meeting
June 20, 2024 – Comprehensive Plan Workshop

Board Actions:

It was moved by Vice-chair Jenaway, seconded by Supervisor Waks, all voting "Aye" to approve the above Minutes except for Supervisor Philips abstaining for voting since he was absent from the June 6th meetings. None opposed. Motion passed 4-0.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo announced Police Chief Tom Nolan and Director of Public Safety will be retiring on August 9, 2024 after 39 years of service with Upper Merion Township.

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 Young Adult	- 1 Vacancy
ECDC Board Member	- 2 Vacancy
ECDC Young Adult Member	- 1 Vacancy
Farmers Market Young Adult	- 1 Vacancy
Human Relations Commission	- 1 (Alternates)
Media Advisory Board Young Adult	- 1 Vacancy
Property Maintenance UCC Board	- 1 Vacancy (Alternate)
Public Safety Board Young Adult	- 1 Vacancy
Upper Merion Foundation Sub-Committee	- 1 Vacancy

- Upper Merion Historical Commission - 2 Vacancies
UM Historical Comm. Young Adult - 1 Vacancy
Zoning Hearing Board - 1 Vacancy (Alternate)

Vice-chair Jenaway asked to add another item to New Business per Chief Nolan's request and marking it as Item C then moving the rest of the items down one.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Philips, all voting "Aye" to add the announcement of Chief Nolan's replacement as item C on the agenda. None opposed. Motion approved 4-0.

NEW BUSINESS:

A. SWEARING IN OF POLICE OFFICERS: by District Judge Patrick Krouse

Chief Tom Nolan announced there are three new police officers as well as a new paramedic and a new EMT person in the Fire and EMS Department. These new hires will be filling vacancies in their respective departments.

Then Chief Nolan called Officer Ausavin Vickynont to the podium stating that he graduated in 2023 from Newman University with a Bachelor's degree in Public Safety and is a certified paramedic. Officer Vickyanont was hired on July 1st and is currently assigned to field training. He previously was an Officer for the Norristown Police Department.

Next Chief Nolan called Officer Dominic Tomaselli forward stating that in 2024 he graduated from Ursinus College with a Bachelor's degree in Psychology and Politics. Officer Tomaselli was also hired on July 1st and is on detached assignment at the Montgomery County Police Academy.

Finally, Chief Nolan called Officer Cory Azeff forward who also graduated from Newman University in 2023 with a Bachelor's degree in Computer and Information Systems. Officer Azeff previously worked for the Protection Bureau as an installation technician and started his employment with Upper Merion Police on July 1st. He is on detached assignment at the Montgomery County Police Academy.

Next District Judge Patrick Krouse administered the three new Officers their oath then a member from each of their families pinned on their new badges. At that time Chief Nolan asked Fire & EMS Chief Johnson to the podium.

B. SWEARING IN OF FIRE & EMS PERSONNEL: by District Judge Patrick Krouse

Chief James Johnson said his department filled a paramedic vacancy and transitioned a part-time EMT to full-time with both members becoming part of the Fire and EMS Team.

Chief Johnson called Molly Ortlip to the podium stating that she worked for Goodwill Steam Fire Engine Company in Pottstown as an EMT and has served as an EMT driver for Great Valley Ambulance. Molly also served as an ER tech for Tower Health at Phoenixville Hospital and served six years in the Army National Guard in Supply and Logistics. She was honorably discharged in 2022.

at the Rank of E4 then attained her EMT certification from Good Fellowship Training Institute in Westchester PA.

Next, Chief Johnson called Dennis Szweda to come forward. Dennis resides in Reading Pa. He has a Bachelor's degree in Science for Emergency Management and Planning, and a Master's in Science for Strategic Leadership from Immaculata University. Dennis served as a Sergeant in the US Marine Corps for 11 years, assigned to Naval Air Station in Willow Grove. He also served as a PA State Trooper in Coatesville Pa and was previously employed at Boeing Corporation where he served numerous roles as Fire Captain, Operations Manager, interim deputy Fire Chief and Senior Analyst for Facilities and Assets. In addition, he served as Chester County Tactical Medic. Dennis is cross-trained as a firefighter and has served in Fire and EMS Organizations throughout Chester, Delco and Montgomery Counties.

District Judge Patrick Krouse administered both members their Oaths then a member from their family pinned on their new badges.

C. ANNOUNCEMENT OF THE ACTING PUBLIC SAFETY/POLICE CHIEF:

Chairperson Garzillo said after many interviews the Board selected Lieutenant Blaine Leis to replace outgoing Police Chief Nolan. There will be a transfer of power at the August 8th BOS Meeting when Lieutenant Leis becomes Acting Public Safety/Police Chief. Lieutenant Blaine Leis thanked the Board and everyone involved in giving him this opportunity. He mentioned he's proud to have served Upper Merion Township for 18 years and will continue to implement what Chief Nolan has set up for the Township to succeed moving forward.

D. PROCLAMATION – Park & Recreational Professionals Day – July is Park & Recreation Month

Parks & Rec Director Dan Russell read the Park & Recreational Proclamation and stated that July is Park & Rec Month across the country and in partnership with PRPA, Pennsylvania Recreation & Park Society they honor all employees that work in PA to provide all these services for us to enjoy every day. Also, July 19th is Park & Rec Professionals Day. This is a day to honor and thank all those who maintain our parks, facilities and programs for our citizens to enjoy. Mr. Russell encouraged residents to check out some of our many parks and recreation facilities. He also took the time to thank all employees working in the Upper Merion Township Park and Recreation Department.

E. PUBLIC HEARING - An Ordinance of the Township of Upper Merion, Montgomery County, Pennsylvania, amending Chapter 165, Zoning, Section 165-5, Word Usage, Definitions, to add Definitions related to Spectator Sport Facilities; amending Chapter 165, XXVIII, off-street parking and loading, to add a new minimum parking requirement; amending use regulations in Chapter 165 for KPMU, SM-1, General Commercial, and Heavy Industrial Zoning Districts to permit Spectator Sport Facilities.

Solicitor Kalie Melchior adjourned the Public meeting to begin the Public Hearing. Next, she marked 5 exhibits:

- 1) The proposed ordinance itself
- 2) The proof of advertisement of this Hearing in the Times Harold, published on July 3rd and July 10th of 2024
- 3) The submission of this attested Ordinance to Montgomery County Law Library submitted on June 20, 2024

- 4) The proof of submission for review by the Upper Merion Planning Commission on June 26, 2024
- 5) The proof of submission of this Ordinance for review by the Montgomery County Planning Commission along with a letter dated July 2nd which was submitted on June 17, 2024

Vice-chair Jenaway wanted to explain to the general public why this Ordinance is being proposed at this time saying that for many years Upper Merion Township has had an extensive array of spectator sports activities. He mentioned that as far back as 25 years ago professional sports teams have shown interest in having a training facility or even a permanent site here. He said each time a team came before the Board there was no provision about where this could be placed and what provisions would have to be in place for them to be able to conduct this.

Vice-chair Jenaway mentioned some sport facilities that are here already and not part of our Park & Rec programing. He mentioned YSL Sports on Warner Road, Steel Yard Sports on Swedeland Road, College baseball that takes place at Heuser Park and there are also swim meets that take place in Upper Merion. In addition, there is Competitive Edge on Henderson Road which has regular basketball and volleyball type tournaments and all these places or activities have a spectator component to them. Then adding the Casino to the mix which has concerts on a regular basis, wrestling and professional boxing.

As for now Vice-chair Jenaway said the venues that are already here have enough parking and space around those areas but to be able to bring a soccer, hockey and/or a lacrosse team here we want to make sure it doesn't encroach on residential districts or on other zoned districts where it might create challenges for either parking or vehicle movement.

So, with that said the Board believes this is an appropriate ordinance to implement. Secondly, it closes a loophole because if we don't have something like this then legally a developer can place these activities in residential districts or similar type districts. Therefore, by having an Ordinance it will not restrict the ability to have a team come to Upper Merion Twp. it just puts them in the most appropriate location in the Township which can handle parking, traffic and people movement (fans).

Chairperson Garzillo said they are trying to be proactive by taking action to stay ahead of developments that they're anticipating can happen in Upper Merion Township. Then she mentioned Top Golf, even though it's not a spectator sports it's a large venue that takes up space as well as parking and there are more recreational venues that want to be a part of Upper Merion like Netflix.

Public Commit: None

With on other questions Ms. Melchior closed the hearing and adjourned back into the Business Meeting so the Board of Supervisors can vote.

Board Action:

It was moved by Supervisor Phillips, seconded by Supervisor Waks, all voting "Aye" to approve the Ordinance amending Chapter 165, Zoning Section 165-5 regarding spectator sport facilities. Motion approved 4-0.

F. CONDITIONAL USE DECISION – 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.

Chairperson Garzillo mentioned this item was carried over from last month's meeting after the Board entered into a quasi-judicial executive session to discuss this matter more, they decided to rendering their decision at tonight's meeting.

Public Commit: None

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Waks, with three voting "Aye" and one "Nay" to approve the Westover Companies conversion of an office building into apartments. Motion approved 3-1.

G. CONSENT AGENDA re:

1. Revenue Stabilization Fund Commitment – Approval of the designation of \$2,000,000.00 in the Revenue Stabilization Fund as committed fund balance in the 2023 Upper Merion Township Financial Statements.
2. GIS Economic Analysis: Approval of Contract in the amount of \$81,972.00 to Urban3 of Asheville, NC as recommended by the Township Planner.
3. First Avenue Linear Park Phase 2 Project: Approval of Invoice #17 in the amount of \$7,360.21 to RK&K, LLP of King of Prussia, Pennsylvania for construction inspection services performed to date, as recommended by the Director of Public Works.
4. Capital Equipment Purchase – Fortigate Firewall Upgrade – Authorization to purchase new Fortigate firewall hardware and enterprise protection and associated installation from Melillo Consulting of Somerset, NJ, in the amount of \$21,379.98 as recommended by the IT Director utilizing ARPA Funds.
5. Auto Theft/Motor Vehicle Insurance Fraud Intergovernmental Agreement – Ratification of the Agreement between the Township and the PA State Police to provide reimbursement to the Township for expenses related to participation in the Auto Theft Task Force.
6. Financial Escrow Security Release– GCP Prussia - Approval of Escrow Release No.1 in the amount of \$735,906.75 for the completion of required site improvements to date as part of the Land Development project as recommended by the Township Engineer.
7. Resignation of Richard Herman from the Upper Merion Historical Commission.
8. Neuman & Associates Consulting Agreement – Approval of an agreement with Neuman & Associates for consulting services related to multi-purpose sports and entertainment facilities in the Township in accordance with the terms outlined in the letter of agreement.
9. 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 December 15, 2024

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to approve the Consent Agenda as presented. None opposed. Motion approved 4-0.

- H. BUSINESS TAX APPEAL SETTLEMENT – By Design Dental:
Consideration of a Business Tax Appeal submitted by By Design Dental, King of Prussia, for the tax year 2023 in the amount of \$90.57, which represents late filing fee and interest for the tax year.

Public Comments: None

Board Action:

It was motioned by Vice-chair Jenaway, seconded by Supervisor Philips, all voting "Aye" to approve waiving the late filing fee and interest for 2023 Tax filing. None opposed. Motion approved 4-0

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 June 6, 2024 to July 10, 2024 and Payrolls dated June 7th, 14th, 21st and 28th of 2024 which includes Police & FF Holiday Pay and Clothing Allowances, for a total of \$5,744,748.26. None opposed. Motion approved 4-0.

ADDITIONAL BUSINESS:

Supervisor Waks wanted to thank the Park & Rec Department as well as the Public Works Department for all their work with the 4th of July Celebration and everything that went along with bringing it all together. He mentioned this was and still is a great time to show your appreciation to all the staff involved since July is Park & Recreation Month. He also thanked Public Safety for all their help with directing traffic and managing the crowd which was over 6,000 people.

Chairperson Garzillo announced that Saturday will be the annual Farmer's Market Zucchini 500 at Norview Farm which is one of the highlights of the season. The new hours for the market is 10 am to 2 pm. Next, she said the Economic & Community Development Committee will host an event in Freedom Hall on August 20th from 10 am to 12 pm. There will be a presentation from PECO on how your utility services can be more affordable with different programs they offer and PECO can also see if you have inefficiencies pertaining to your utility services.

Vice-chair Jenaway said on Saturday, July 13th the Upper Merion Township Fire and EMS Department along with the American Red Cross walked several streets within Sweetbriar Section. They went door to door talking to 94 residents about the importance of working smoke alarms in their homes and installed 119 free smoke alarms and also removed old ones. He said if any resident needs a smoke alarm to contact the Upper Merion Township Fire and EMS Department's Smoke Alarm Hotline at 484-636-3945.

Vice-chair Jenaway mentioned later that day the Fire & EMS responded to a fire at a single-family dwelling in the Swedesburg section of Upper Merion Township. There were approximately 40 Firefighters and EMS personnel responding to the scene where they found smoke coming from the second-floor windows. They deployed hose lines and extinguished the fire. The emergency medical providers rendered medical care and transported three residents to the hospital. We are happy to report that they are all doing well. Next, he read a statement from the National Fire Protection Associations saying that sprinkler systems protect property by reducing damage and losses by 70% and lowers fire injuries and death by 90% and 32% respectively. Finally, he said if you want more information come to the National Night Out on August 6th from 4:00 pm to 5:30 pm at Bob White Park and 6:00 pm to 8:00 pm at Sweetbriar Shopping Center. Police, Fire vehicles and EMS personnel will be there to answer any questions. There will be activities, giveaways, canine demonstrations, music and food.

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 8:02 pm. None opposed. Motion approved 4-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered:

The first part of the document discusses the importance of maintaining accurate records of all transactions. It emphasizes that proper record-keeping is essential for the success of any business and for the protection of the interests of all parties involved. The document outlines the various methods and procedures that should be followed to ensure the accuracy and reliability of the records.

It is further stated that the records should be kept in a secure and accessible location, and that they should be reviewed regularly to ensure that they are up-to-date and accurate. The document concludes by reiterating the importance of proper record-keeping and the potential consequences of failure to do so.

Very truly yours,
[Signature]

[Name]
[Title]