

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS  
APRIL 14, 2022 MEETING ~ 7:30 PM

**AGENDA**

1. Meeting Called to Order.
2. Pledge of Allegiance.
3. Roll Call.
4. Meeting Minutes: March 3, 2022 – Zoning Workshop  
March 3, 2022 – BOS Workshop  
March 10, 2022 - Business Meeting
5. Chairperson's Comments:
6. New Business:
  - A. Swearing-In of Police Officer Joseph Flint by Judge Katherine McGill.
  - B. Conditional Use Hearing – Malvern Anderson, LP is requesting conditional use approval to permit the development of the R2 Residential zoned property, known as Parcel No. 58-00-00544-25-3 and 58-00-0541-01-3 (portion of the former UM Swim Club property, Anderson Road and Reedel Drive), under the cluster development overlay requirements as an age restricted 49-unit townhouse development.
  - C. Public Hearing – An Ordinance amending the Upper Merion Township Zoning Code, Chapter 165, to create the use of a “Hookah Bar” and to provide for definitions, permitted zoning districts, and associated time and operational regulations on such use.
  - D. Consent Agenda re:
    1. Resolution 2022-21 re: Recognizing Arbor Day.
    2. Resolution 2022-22 re: Recognizing Earth Day.
    3. Resignation of Janet Medrow from the Library Board of Directors.
    4. Financial Escrow Security Release No.1, Malvern School Properties King of Russia, LLC – Approval of Escrow Release No.1 to Malvern School Properties, 800 Mancill Mill Road in the amount of \$110,666.50 for the completion of required site improvements inspected to date as part of the Malvern School project as recommended by the Township Engineer.

5. Financial Escrow Security Release No. 6, Horizon Drive Group, LP, 3700 Horizon Drive. Approval of Escrow Release No.6 to Horizon Drive Group, LP in the amount of \$4,975.00 for the completion of required site improvements to date as part of the building expansion project as recommended by the Township Engineer.
6. Trout Run/Matsunk Treatment Plan Bio-Solids Removal Contract Bid Award for the years 2022-2024 – To award the Bio-Solids Removal Contract for the Trout Run & Matsunk Treatment Plants to J.P. Mascaro & Sons of Audubon, PA in the amount of \$3,852,250.00 being the lowest responsible bidder and authorizing the proper Township Officials to sign all contract agreements.
7. Annual Township Electrical Maintenance Service Contract Bid Award for the years 2022-2024 – To award the Annual Township Electrical Maintenance Service Contract to US Solutions, Inc. of Quakertown, PA in the amount of \$761,305.00 being the lowest responsible bidder and authorizing the proper Township Officials to sign all contract agreements.
8. Annual Road Line Striping Contract Bid Award for the years 2022-2024 – To award the Annual Road Line Striping Contract to Traffic & Safety Signs, Inc. of Kennett Square, PA in the amount of \$218,020.60 being the lowest responsible bidder and authorizing the proper Township Officials to sign all contract agreements.
9. Linear Park Project Phase 2 Bid Award – To award the Linear Park Project Phase 2 Bid to Road Con, Inc, of West Chester , PA, in the amount of \$1,837,404.70, including Alternates #1 (trail section at 840 1<sup>st</sup> Ave) and #2 (portion of trail section at 601 Allendale Rd) being the lowest responsible bidder and authorizing the proper Township Officials to sign all contract agreements.
10. Fence Height Exception Request – 475 Allendale Road. Consideration of a request from the property owner of 475 Allendale Road, pursuant to Section 165-208 of the Township Zoning Code, to permit an 8’ high open picket steel security fence enclosure for an emergency generator in the front of the property as shown on the site plan prepared by Pennoni Associates dated 2/24/2022 subject to the following conditions:
  - a. The fence shall not have any security spikes
  - b. Installation of landscaping as shown on the site plan
11. Change Order No. 1 – Schuylkill River West Trail Phase 2. This change order reflects a 60-day extension of the contract time for this project due to a delay in the design and procurement of materials for the retaining work.
12. Payment Certificate #1 – Schuylkill River West Trail Phase 2. Payment to James R. Kenney Excavating & Paving, Inc. in the amount of \$30,380.00 for work done on the Schuylkill River West Trail.
13. Authorization for the proper Township Officials to advertise the following Bids:
  - a. 2022 Montgomery County Consortium Fuel Contract
  - b. Tannery Drive Creek Bank Stabilization/Retaining Wall Project

14. Appointment to the Farmers Market Advisory Board.

15. Authorization of Budget Transfer – Fire Fund. Authorization of a budget transfer in the amount of \$11,980.00 from the Fire Fund Budget Line 03100-0000 Cash-Fire Tax Acct. to 18-411-07437 Capital Equipment Maintenance.

E. Resolution 2022-23 – Franklin Map Car Wash, 333 S. Henderson Road. Consideration of a preliminary/final subdivision plan for Franklin Map Car Wash, 333 S. Henderson Road, prepared by Estock Consulting Engineers, dated February 2, 2022, last revised February 7, 2022, for the subdivision of the existing 3.6-acre LI Light Industrial Zoned property into 2 lots.

F. PECO Perpetual Recreation Easement Agreement for Chester Valley Trail Extension– 1<sup>st</sup> Amendment. Approval of an amendment to the July 2016 Recreation Easement Agreement with PECO modifying and correcting the easement area as shown on revised Exhibit A, prepared by Boles Smyth Engineers, dated April 6, 2022 for the construction of the Chester Valley Trail along the PECO Hansen Access/Bill Smith Blvd Corridor Right of Way subject to the final form of the agreement as approved by the solicitor.

G. County of Montgomery Perpetual Recreation Easement Agreement for Chester Valley Trail Extension– 2nd Amendment. Approval of a 2<sup>nd</sup> amendment to the July 2016 Recreation Easement Agreement with Montgomery County modifying and correcting the easement area as shown on revised Exhibit A, dated April 1, 2022 for the construction of the Chester Valley Trail along the PECO Hansen Access/Bill Smith Blvd Corridor Right of Way.

H. Approval of Release and Settlement Agreement - BKP/Powell/Brinjac Community Center Roof litigation. Approval of the Mutual Release and Settlement Agreement with Buell Kratzer Powell, Ltd , Joseph Powell and Brinjac Engineering for the Upper Merion Community Center Construction Project Litigation subject to the consideration and terms outlined in said Agreement.

7. Accounts Payable & Payrolls.

8. Additional Business.

9. Public Comment.

10. Adjournment.