

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
JUNE 8, 2023

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, June 8, 2023, 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: Bill Jenaway, Tina Garzillo, Carole Kenney, Greg Waks and Greg Philips (came later). Also, present was Anthony Hamaday, Township Manager; John Walko, Esq., Solicitor's Office and Leanna Colubriale, Township Engineer.

MEETING MINUTES: None

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo stated that there will be an Executive Session following this meeting involving litigation and personnel matters. Then she gave recognition to June Gigus and Barb Choc for 50 years of services and congratulated Barb on her recent retirement, she also congratulated all the other employees that reached a milestone for every five year of service that they have severed with the Township.

On a sadder note Chairperson Garzillo mentioned employee Brian Hendrix who worked in the UMGATV for over 20 years passed away after a longstanding chronic health issue. Brian was one of the cameramen that taped the Board meeting and will be dearly missed by all.

CITIZEN BOARD VACANCIES:

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

CC Advisory Board Student Member	- 1 Vacancy
Environmental Advisory Council	- 1 Vacancy
Human Relations Commission	- 2 (Alternates)
Public Safety Citizen Advisory Board	- 1 Vacancy
Upper Merion Foundation Sub-Committee	- 1 Vacancy
Upper Merion Historical Commission	- 3 Vacancies

NEW BUSINESS:

A. POLICE OFFICER PROMOTIONS - Swearing-In by Judge James Gallagher

Chief Tom Nolan said due to the retirement of Sgt. Andy Fiddler after 27 years of Service left a vacancy in the sergeant's position and then ultimately caused a vacancy in the corporal level. So, they will be promoting Officer Scott Samuels to the rank of Corporal and Corporal Marty Mango to the rank of Sergeant.

B. POLICE COLLECTIVE BARGAINING AGREEMENT (CBA) - Approval of a Memorandum of Understanding between the Township and the Police of Upper Merion Township amending the current Collective Bargaining Agreement for the contract years 2023 through 2027 as outlined in said memorandum.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Kenney, all voting "Aye" to approve the Memorandum of Understanding for the Police contract years 2023-2027. None opposed. Motion approved 4-0.

C. PROCLAMATION TO HONOR JUNETEENTH – JUNE 19, 2023

Supervisor Greg Waks read the Proclamation Honoring Juneteenth.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Waks, all voting "Aye" to approve the Proclamation honoring Juneteenth. None opposed. Motion approved 4-0.

D. CONSENT AGENDA re:

1. Resolution 2023-19 – Disposition of Township Records. Authorization to dispose of Township Records as described in said resolution in accordance with the PA Municipal Records Act.
2. Resolution 2023-20 – Mancill Mill Townhouse Development Act 537 Sewer Facilities Planning Module. Approval of the Sewage Facilities Planning module for the Mancill Mill Townhouse Development, Mancill Mill Road, and authorize the proper Township Officials to submit the modules to PA DEP approval as a revision to the Township's Act 537 Sewage Facilities Plan.
3. Resolution No. 2023- 21. Disposition of Personal Property. Authorization to sell at auction a used Ford escape and Explorer with a value of approximately \$7000.
4. Abrams PAS/Valley Brook PS/Trout Run PS Upgrade Project – Contract Payment No. 4 – Blooming Glen Contractors. Approval of Payment Application No. 4 to Blooming Glen Contractors in the amount of \$21,565.39 for work completed to date on the upgrade project as recommended by the Township Consulting Engineer.

Board Action:

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

E. BUSINESS TAX APPEAL – Kooma III, LLC., 201 Main Street, King of Prussia
To consider a Business Tax Appeal from Kooma III, LLC., 201 Main Street,
King of Prussia requesting the waiver of late fees tax years for 2020 & 2021.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to approve abating the Interest only portion of the late fees. None opposed. Motion approved 5-0.

F. PUBLIC HEARING – An Ordinance amending the Upper Merion Township
Zoning Code, Section 165-219.1, Conditional Use Procedure, to require
Conditional Use Applications to be submitted to the Upper Merion Planning
Commission, and applicants to appear before the Planning Commission, prior
to the Conditional Use Hearing.

Mr. Walko adjourned the Public meeting to open the Hearing and presented five (5) exhibits. Exhibit #1 is the Ordinance itself, #2 is the proof of legal notice in the Times' Herald published on May 24th and 31st, #3 is the proof of submission to the Montgomery County Law Library on May 8th, #4 is the proof of submission to the Montgomery County Planning Commission and #5 is the proof of submission to the Upper Merion Planning Commission.

Mr. Walko then summarized the Ordinance change stating a Conditional Use Application is required to be submitted to the Upper Merion Planning Commission for review and to be able to submit an advisory opinion of the application to the Board of Supervisors. By doing this The Board can schedule a Conditional Use Hearing. Supervisor Philips said the reason for doing this is to make the process consistent in uniform for all land development.

With nothing farther said and no public comment Mr. Walko closed the hearing and reopened the public meeting where this ordinance is now in position to be voted upon by the Board.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Kenney, all voting "Aye" to approve the change in Zoning Ordinance, Section 165-219.1. None opposed. Motion approved 5-0.

G. PRELIMINARY/FINAL LAND DEVELOPMENT PLAN – Norcini, 121 East
Church Road. Consideration of a preliminary/final Land Development Plan for
Charles & Janet Norcini, 121 E. Church Road, prepared by Woodrow &
Associates, dated January 3, 2023, as revised for the construction of a 1,080
sq. ft. pole barn and associated improvements on the 43,380 sq. ft property,
including waivers as outlined in said resolution. LI Limited Industrial.
Resolution 2023-18

Board Action:

It was moved by Supervisor Philips, seconded by Vice-chair Jenaway, all voting "Aye" to approve the Preliminary/Final Land Development Plan for Norcini. None opposed. Motion approved 5-0.

H. MONTGOMERY 2023 MONTGOMERY COUNTY CONSORTIUM FUEL CONTRACT BID AWARD - Awarding of the 2023 Consortium Fuel Contract, as bid by Upper Merion Township on behalf of the Consortium, to Petroleum Traders of Fort Wayne, Indiana for the bid prices as follows:

1. Regular Unleaded Gasoline (87 oct) - Oil Price Information Service (OPIS) Philadelphia weekly average plus \$0.1311 Bidder Margin.
2. Super Unleaded Gasoline (93 oct) -- OPIS Philadelphia Weekly average plus \$0.0290 Bidder Margin.
3. B2 Diesel - OPIS Philadelphia Weekly average plus \$0.2350 Bidder Margin.

Board Action:

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

I. PROFESSIONAL SERVICES AGREEMENT – Wastewater Treatment Pump and Control Replacement Project - ARRO Consulting. Consideration of a Professional Services Agreement in the amount of \$60,990.00 with ARRO Consulting of West Chester, PA for the design, bidding administration and construction inspection services for the 2023 Pump and Control Replacement Project at the Trout Run Water Control Center's main station, Abrams pump station and the Balligomingo pump station recommended by the Director of Public Works.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Philips, all voting "Aye" to approve the professional service agreement with ARRO Consulting for the Wastewater Treatment Pump. None opposed. Motion approved 5-0.

J. PROFESSIONAL SERVICES AGREEMENT – 2023 Water Pollution Control Center Headworks Influent Screening Unit Modification Project - ARRO Consulting. Consideration of a Professional Services Agreement in the amount of \$99,030.00 with ARRO Consulting of West Chester, PA for the design, bidding administration, and construction inspection services for the 2023 Water Pollution Control Center Headworks Influent Screening Unit Modification Project at the Matsunk and Trout Run treatment centers as recommended by the Director of Public Works.

Board Action:

It was moved by Supervisor Kenney, seconded by Vice-chair Jenaway, all voting "Aye" to approve the professional service agreement with ARRO Consulting for the 2023 Water Pollution Control Center Project. None opposed. Motion approved 5-0.

K. PERMISSION TO ADVERTISE – Single Use Product Ordinance.

Authorization to advertise a proposed Ordinance for consideration at the July 14, 2023 Business meeting which will regulate the distribution and use of single use products within the Township, including plastic bags, utensils, straws and polystyrene containers order to protect the health, safety and welfare of the residents by reducing plastics pollution.

PUBLIC COMMENT:

Mr. Matt McCaffrey, resident at 142 Henderson Avenue thanked the Board for proposing this Ordinance at the next Business meeting stating how bad plastic bags as well as other plastics are for the environment. He also mentioned that he works in the grocery business and plastic bags cost the stores more so there shouldn't be a problem eliminating them.

Board Action:

It was moved by Supervisor Kenney, seconded by Vice-chair Jenaway, all voting "Aye" to approve advertising for Single Use Product Ordinance at the July 14th Business meeting. None opposed. Motion approved 5-0.

ACCOUNTS PAYABLE & PAYROLLS:

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Aye" to approve the Accounts Payables for invoices processed from May 4, 2023 through May 31, 2023 and Payrolls dated May 12th and 26th of 2023 for a total of \$4,357,442.01. None opposed. Motion approved 5-0

ADDITIONAL BUSINESS:

Supervisor Philips apologized for coming late to tonight's meeting, he was at his youngest daughter's graduation ceremony at the High School. He also asked that since this is graduation season and everyone is celebrating to please be careful.

Vice-Chair Jenaway reminded everyone that the July 4th celebration will be on Tuesday at Heuser Park starting at 3 pm and ending after the firework display which will begin after 9:15 pm. He also asked residents to be careful with

fireworks and when grilling leave sufficient space between the grill and your home. Finally, he said the EMS subscription letters have been mailed.

Supervisor Kenney thanked the Erickson family and Steve's Sew and Vac for hosting an Autism Event to make weighted blankets for people with autism. Ms. Kenney said that she was in Harrisburg this past Monday for Alzheimer's Day and she mentioned how Alzheimer and dementia is a virtual epidemic and PA considers it a condition not an illness. The Alzheimer's Association is supporting a bill asking for \$750,000 annually for Alzheimer support and asked residents to call our local Senator and Representative to express their support for this bill SB520.

Supervisor Waks thanked Valley Forge Casino for hosting the Board of Community Assistance and for providing the funds to give grants to non-profit organization and scholarships to graduating High School Senior Residents. He also thanked the BCA members and Township staff for all their hard work processing all the applications and to UMGATV for filming the event. Mr. Waks mentioned that next year the BCA might be expanding the scholarship applications to include High School Juniors.

PUBLIC COMMENT: None

ADJOURNMENT:

There being no further business to come before the Board, it was moved by Supervisor Phillips, seconded by Supervisor Waks, all voting "Aye" to adjourn the meeting at 8:26 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered: