

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
AUGUST 8, 2024

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, August 8, 2024, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:15 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; Amanda Lafty, Assistant Township Manager; John Walko, Esq., Solicitor's Office and Leanna Colubriale, RVE Township Engineer.

Meeting Minutes: July 11, 2024 – Zoning Workshop
July 11, 2024 – BOS Workshop
July 18, 2024 – Business Meeting

Board Action:

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

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo said there was an Executive Meeting prior to this meeting to discuss matters of litigation.

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
EAC Board Young Adult Member	- 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 modify the Consent Agenda adding an additional item, #7 for Appointments to Citizen Boards – Media Communications Board Young Adult, Historical Commission and EAC Young Adult Member.

Board Action:

It was moved by Vice-chair Jenaway, seconded by Supervisor Waks, all voting "Aye" to add #7 to the Consent Agenda. None opposed. Motion approved 5-0.

NEW BUSINESS:

A. SWEARING IN OF BLAINE LEIS AS ACTING DIRECTOR OF PUBLIC SAFETY/POLICE CHIEF:

Current Police Chief Tom Nolan announced that the Board of Supervisors selected Lieutenant Blaine Leis to replace him as the Acting Director of Public Safety/Police Chief. Chief Nolan said he's known Lieutenant Leis throughout his entire career at Upper Merion and has worked closely with him these past few years subsequently learning about his amazing talents. Blaine has worked as both a Supervisor and a Command Officer in the Administrative Services and Emergency Management Division.

Next, Chief Nolan called Lieutenant Blaine Leis to the podium mentioning that Blaine started as a volunteer firefighter with the Gladwyne Fire Company in 1987. He rose through the ranks and is currently the Fire Chief at Gladwin. In 1988 he started in the EMS field when he joined Narberth Ambulance and was certified as an EMT in 1989 and as a paramedic in 1993. Blaine has served as a paramedic with numerous ambulance services throughout the region including the FBI tactical team in Philadelphia and with Central Montgomery County SWAT team. In addition, he served as a flight paramedic with Penn Star from 1999 until 2015. In 2006 Blaine was hired as a police officer for Upper Merion Township. He was a detective in special investigations unit from 2014 to 2016 then transitioned to a 12-hour detective position for two years. He was promoted to Corporal in 2018, in 2021 he was promoted to Sergeant and in 2023 he was promoted to Lieutenant and led the Auxiliary Services Division. Most recently Blaine led the Administrative Emergency Management Division and also served as the Acting Fire Chief of nine months before the arrival of Chief James Johnson.

Next District Judge Patrick Krouse administered the Oath of Office to Police Chief Leis. Blaine's wife, Tanya pinned on his new badge alongside of their son Sam. Chief Leis thanked the Board and all his friends in the Police Department for supporting him.

B. PUBLIC HEARING - Business Improvement District Plan Renewal:

Solicitor John Walko commenced the public hearing on the renewal of the King of Prussia Business Improvement District (BID) renewal plan. The King of Prussia District is requesting a ten-year renewal of the organization, permissible under the current Ordinance. The King of Prussia District has served as a trusted marketing and economic development partner of the Township since 2010., This is a partnership that has brought incredible value to all residents and businesses in Upper Merion and helped raise and restore the profile of King of Prussia as the Philadelphia region's premier suburban community to live, work, play and invest.

The BID is asking for a 10-year renewal of the Plan and also to be re-designated as the KOP Managing Agents Association for the district. In addition, the BID is asking the Board of Supervisors tonight to approve their plan as a final plan to be approved and submitted so they can proceed to their 45-day objection period, as is required under the Pennsylvania Neighborhood Improvement District Act.

Mr. Walko said if this plan is approved there will be a subsequent Ordinance change and he presented four (4) Board exhibits.

- 1) The KOP BID renewal information packet that was circulated to the properties and the required agencies for this hearing.
- 2) The proof of publication of tonight's hearing in the Times Herald Newspaper on July 21, 2024.
- 3) The proof of submission of the KOP BID information packet for public inspection to the Montgomery County Law Library on July 19, 2024.
- 4) The proof of the KOP BID information packet for public inspection to the Times Herald Newspaper for public inspection on July 19, 2024.

The KOP BID is represented by attorney Andrew Rau and at this time Mr. Walko turned the hearing over to him. Mr. Rau said he helped form the BID in 2010 with some advocates in the Business Community along with Township Officials. Through the Townships foresight and vision with the growth of the BID he noted that they are approaching their third 5-year term.

Mr. Rau said the renewal of the BID is important and they're hoping the Board approves the Plan as a final and the next procedural step would be to authorize advertisement so the Board could act on a renewal Ordinance on October 17, 2024. He explained that the reason for the long length between tonight's meeting and October's 17th meeting is under the statutes there is a 45-day objection period in case 40% of the district members object to the plan. They're also asking for a 10-year plan this time to create the ability to execute some of the bigger picture visions that are important to the Township. Mr. Rau then introduced Mr. Eric Goldstein, President & CEO of the BID, who will explain in more detail.

Mr. Goldstein thanked the Board for this opportunity and introduced his staff before his presentation. He said the Township created the KOP BID in 2010 as a response to the recession in 2007 and 2008 along with some concerns that property owners had at that time. During that period there were very high office vacancies with very low rents and property values with very little reinvestment back into those buildings. He mentioned there are very few suburban communities that create a BID, the overwhelming majority BIDs are created in urban areas, so the KOP BID was a unique experiment.

With that said Mr. Goldstein is pleased to report that the work of the King of Prussia District appears to have made a significant and positive difference in the fate and fortune of the Township because of the success of their work and the strength of their ongoing partnership with the Township. Then, he presented the plan of what the KOP BID wants to do in the next 10 years if they get the extension tonight. He said the BID's mission is to accelerate economic growth by making King of Prussia vibrant, attractive and prosperous. Their guiding principles are to inspire collaboration that strengthens the community, advocates for our stakeholders, elevates King of Prussia's profile, delivers a compelling vision for KOP's future and strives to increase property values.

Mr. Goldstein said the KOP BID's boundary includes Moore Park (formerly known as the KOP Business Park), the Village at Valley Forge, the area in and around the KOP Mall (Mall Blvd. & Goddard Blvd.), the entire Rt. 202 corridor, all of S. Gulph Road and Henderson Road. Also, in 2020 they expanded to add the Renaissance Corporate Park and the campus of GlaxoSmithKline along with the Discovery Labs.

There are 431 property owners in this boundary that pay about 3.1% mandatory fees to our organization on an annual basis, this is a millage which is approximately 3.1% of the total real estate tax bill. This includes commercial properties and multi-family residential apartment properties. He also mentioned that his organization directly invoices bills and collects payment, so it's not a tax it's an assessment fee from a legal perspective. The money collected goes towards their five programs, which are physical improvements, transportation, marketing & communications, land use & zoning and research & data analytics.

Mr. Goldstein went over the BID's accomplishments from 2011 to 2024. In transportation the Linear Park was probably the biggest transformation. This park covers about 2 miles in length on both sides of First Avenue, connecting all property owners from N. Gulph Road to Allendale Road. This project was about 7 years in the making and probably cost somewhere around 5 million dollars all funded by a grant. They also worked with the Township on the road diet for First Avenue, making it one lane in both directions and adding a middle turning lane to make it safer and also added bike lanes. Another transportation project they're working on now is the Moore Road Trail, which will be on both sides of the road, an extension of the Linear Park.

Mr. Goldstein mentioned they just finished a connectivity study in Renaissance Corporate Park where they are trying to improve the safety conditions for pedestrians, cyclists and motorists in this area. They made recommendations on enhancement of the intersection of Horizon and Renaissance, and to expand trails and sidewalks.

For land use and zoning their biggest accomplishment was the work they did with the Township back in 2014 to rezone the old suburban metropolitan district which was the KOP Business Park now called Moore Park into a mixed-use zone. The King of Prussia mixed-use district now enables property owners to develop multi-family residential there for the first time along with service retail. Then he showed pictures of Residential properties, 751 Sky and Park Square, which both were a direct beneficiary of the land use change. Next, he showed slides on the physical improvements they designed, constructed and maintain throughout Upper Merion with about 7 acres of landscapes mostly on road medians. The BID also did the gateway signage project at all the major gateways into and out of Upper Merion Township. They also put a lighted sign at the cul-de-sac at the end of Renaissance Blvd. connecting to Hughes Park train station area on the Norristown high speed line.

As for research & data analytics they annually produce a report for the community showing not only what they've done but it's a snapshot of how Upper Merion Township is performing across numerous categories, like offices, industrial retail housing market and general demographics, et cetera. They also send these reports to the media so when they report or write about Upper Merion Township they have the latest facts. In addition, every 5 years they produce a comparative location analysis in which they compare their work in Upper Merion to their 9 largest suburban competitors. They look at it from a tax perspective, the total tax burden on business of all types and sizes. Mr. Goldstein said throughout the years Upper Merion has become the third lowest tax burden, since the Township has not raised taxes, which is great for marketing purposes. He also said in 2020 they released their first state of rental and owner-occupied multi-family housing report for King of Prussia and are working on a new addition. This report will be completed in a few months and will now cover all housing in the Township, not just multi-family housing.

Next, he went over their research & data analytics saying they hired a consultant to help them with their largest community engagement project to date. The consultant will help us get input from the community, we identified six different audiences, employees, residents, Township Board of Supervisors, stakeholders and people that come to Upper Merion for dining and shopping.

Mr. Goldstein said they're in the process of surveying everyone on different things they like and don't like and what they'd like to see in the Township.

Mr. Goldstein spoke about marketing & communications and what his organization did to promote Upper Merion. They organized Food Truck Tuesdays, Block Party, Bright Bash (which is the release of their annual report), Igloo Garden on the Green and Wellness Wednesdays. They're invested in advertising and have ad campaigns like H-Q-K-O-P which is their effort to recruit Headquarter Locations to relocate to King of Prussia. He said they run these ad in the heart of Philadelphia, Center City to entice them to come to KOP. They also maintain a number of social media channels, three active websites and a newsletter that reaches ten thousand subscribers monthly. Mr. Goldstein said they do a lot of work in public relations in which they hire companies to help get messages out about stories or pitching stories and also as a direct outreach to writers, editors and publishers to raise the profile of King of Prussia.

Finally, he spoke about community partnerships. Besides their program work they also do a lot to support the community. They have an annual food drive and their Igloo Garden on the Green raised almost \$40,000 since they started that event. He mentioned they have been supporting Children's Hospital for the past 10 years with their Restaurant Week which raised over \$424,000 for CHOP so far. They supported the Valley Forge Park Alliance with a \$75,000 contribution for the park's new headquarters location at the Maurice Stevens House on the Grand Parade in Valley Forge Park. They also host a First responders appreciation week where they serve two meals per day to try to get all the police, fire people and EMT's a chance to eat something during their different shifts.

Mr. Goldstein said they also work with the School District and believes there is a close tie between the success of the corporate community and the success of the quality of our schools. So, they have been donating grants to the teachers and students for the past few years totaling \$34,500 and will continue to do so. He mentioned they also support general community events like a sponsorship for Concerts Under the Stars, Upper Merion Crew, Baseball and Softball programs.

Next, he focused on the Preliminary Plan for 2025-2035 saying looking over the next 10 years there are some highlights of things they would really like to do and one is to continue to accelerate the H-Q-K-O-P Campaign along with any future campaigns designed to attract businesses to Upper Merion Township. They also intend to significantly expand the research and data analytics program, this is why they're seeking additional revenue in the next 10 years. They want to take their program from just the 5-year tax policy report to an annual program that can produce a lot of very useful data for the Township and Stakeholders.

Their third big focus is the continuation of building multi-modal trails, they have completed the Linear Park Trail and are now working on the Moore Road Trail and the N. Gulph Road Trail. By completing these trails, the BID, along with the Township, are hoping to connect both residential and commercial areas to the Circuit Trail, Schuylkill River Trail and the Chester County Trail. He talked about implementing the connectivity study from Renaissance Corporate Park to improve the pedestrian connections there and for Moore Park.

Finally, he closed by covering a couple of the financial aspects of the BID organization. Their Assessment Total for 2011-2024 is \$20,407,916.40 and their Total Budget was \$27,821,487.50 - is a difference of \$7,413,571.10. They were able to raise an additional 7.5 million dollars to support their general operation budget by corporate sponsorships, fee-based programs and management fees.

Before closing the hearing, the Board of Supervisors had some comments and questions, which were addressed by Mr. Goldstein and Mr. Rau.

Public Commit: None

With nothing else said and no public comment, Mr. Walko closed the Public Hearing for the Board to vote upon the Plan as presented. Mr. Rau said that will give them time to work on the Ordinance.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Kenney, all voting "Aye" to approve the BID's tenure plan as final. Motion approved 5-0.

C. CONSENT AGENDA re:

1. Motion to approve the Budget Guidelines for the 2025 Operating and Capital Budgets.
2. Brownlie Road Culvert Replacement Project: Approval of Payment Application #1 in the amount of \$96,029.73 to G&B Construction Group, Inc. Feasterville-Treose, Pennsylvania for contract services performed to date, as recommended by ARRO Consulting, Inc.
3. Resolution 2024-28 – Agreement to allow Chester Valley Deer Management Association to provide deer management services.
4. Release of Municipal Engineering Services RFP/Q.
5. Resolution 2024-29 – Amend 2024 Fee Schedule.
6. Professional Services Agreement – Pedestrian Bridge Assessment – Accept a proposal from Remington & Vernick Engineers to perform four (4) field assessments and inspections of Township owned pedestrian bridges as selected by the Director of Public Works at a cost not to exceed \$2662.53 per bridge as outlined in RVE's proposal dated 8/6/2024.
7. Citizen Board Appointment – Media Board Young Adult, Laura Lee Bonfonti, Historical Commission, John Moran and Environment Advisory Council, Allison O'Donnell.

Board Comment:

Supervisor Kenney asked Mr. Hamaday to explain Resolution 2024-28. Mr. Hamaday stated that Chester Valley Deer Management is a bona-fide organization with insurance to allow them to harvest deer on designated properties own by the Township. Since the Township has been receiving a lot of complaints regarding damage that the deer contribute to personal property and the danger they are to our road system, we hired this company to try to control the abundant deer population in our neighborhoods. This organization was recommended and have been working with Tredyffrin and Radnor Townships doing similar programs for several years.

Ms. Amanda Lafty, Assistant Township Manager said the reason the Township is going with a group like this is because the Township needs to do two years of an established hunting program before allowing a Cull. This is the first step before the Game Commission will let the USDA come into the Township to do a wide Cull, which is currently happening in Radnor and Lower Merion Townships.

This organization will provide the number of deer that they have harvested throughout the season and will be following all the regulated hunting laws. Then Supervisor Kenney asked if Valley Forge Park is or ever did this since three quarters of the park is in Upper Merion. Ms. Lafty responded that Valley Forge Park is currently participating in the USDA Cull like Lower Merion and Radnor are due to a lot of damage the deer have caused the past several years. So, by doing this they have been able to maintain the deer population at a lower level. This is another reason why we are trying to get this established this year so we could move forward if we see the need to do a Cull.

Next, Supervisor Kenney asked if there is a certain number or percentage of deer that this organization needs to harvest. Ms. Lafty said there isn't a hard number, this is a two-year program so they would have to see if less complaints and accidents are reported before they move forward. Mr. Hamaday stated that by doing this the Township can manage the hunting or harvesting on Township properties. This organization has to comply with the state gaming commission laws, so each hunter will have a limit based on state law. The advantage the Township will have is that they'll be able to control who and when the hunters can go onto our properties, they'll have designated times and can't setup on trial systems or playgrounds. He mentioned this is a safe way for the Township to manage the hunting instead of anyone going into a lottery. If local hunters want to join the Chester Valley Deer Management Organization they can apply and then be able to hunt in Upper Merion Township.

Supervisor Kenney also asked when will they be hunting and what time of day. Mr. Hamaday this will take place during hunting season, September through January and most likely be early mornings. Vice-chair Jenaway wanted to confirm that this would be archery only and Ms. Lafty responded yes. She also said she will be working closely with the organization to find out which parks or areas they will be at so she can let the Parks Department know plus they will post no hunting signs without a Township license.

Ms. Lafty was told by Mr. Grabuski, president of Chester Valley Deer organization that while he was surveying Township property some residents approached him inquiring what he was doing and he received a lot of positive comments from them about controlling the deer population. Then Supervisor Kenney asked if any portion of the hunted deer would be given to agencies to be used for food and Ms. Lafty responded the majority is donated to Food Banks and a small portion will be distributed among club members. Also, Mr. Walko stated that this program does not cost the Township any money.

Chairperson Garzillo said if any resident owning a large parcel of ground or wants to combine their property with their neighbors could have their property included in this program. If they're interested to contact Ms. Lafty and she will forward your information to the organization. Ms. Lafty said Mr. Grabuski is open to scoping their properties to see if it's feasible to include their parcel in this program.

Board Action:

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

D. BUSINESS TAX APPEAL SETTLEMENT – Cordray Corporation:
Consideration of a Business Tax Appeal submitted by Cordray
Corporation, King of Prussia, for the tax year 2023 in the amount of
\$609.00, which represents late filing fee and interest for the tax year.

Mr. Hamaday said when Cordray Corporation remitted their previous year tax return they filled out a change of address which Tri-State did not pick up on. So, the following year he received his tax packet late due to it going to the previous address. Since they were never late before Mr. Hamaday asked if the Board would abate the penalty and interest.

Public Comments: None

Board Action:

It was motioned by Supervisor Waks, seconded by Supervisor Kenney, motion carried 4-1 to approve waiving the late filing fee and interest for 2023 tax filing. Chairperson Garzillo opposed.

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 July 11, 2024 to July 31, 2024 and Payrolls dated July 5th and 19th of 2024 for a total of \$3,943,127.35. None opposed. Motion approved 5-0.

ADDITIONAL BUSINESS:

Supervisor Waks mentioned the Township acquired a parcel of land a few years ago that is adjacent to the Mullen tract and to Walker Park. He said in the coming years there will be an expansion of Walker Park where additional amenities will be coming soon.

Next, Vice-chair Jenaway read a weather report about tropical storm Debbie and said the Public Work's crew were cleaning drains in the Township so hopefully that will alleviate some water buildup on the roadways. He also mentioned due to the bad weather conditions this week the Police and Public Safety Department was unable to complete their National Night Out at Sweetbriar Shopping Center but it will be rescheduled at a future date.

In addition, as Vice-chair Jenaway mentioned earlier during this meeting, Fortune Magazine identified Upper Merion Township as the 2nd best place in the United States for families to live in 2024. He read their article which gave Upper Merion great accolades on why it's a great place to live with Silver Spring, Maryland coming in at number one.

Public Comments:

Mr. James Ramsey from 359 DeHaven Street said he's been talking to the Township Manager and Zoning Officer about a stormwater issue at his property for over a year and is has not been resolved. He's asking the Board for their help in sorting out this dispute which involves three properties. After a very long discussion the Board told Mr. Ramsey that he should hire a lawyer because this is a dispute between the neighbor, which involves multiple owners.

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 9:22 pm. None opposed. Motion approved 5-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

lr
Minutes Approved:
Minutes Entered:

