

UPPER MERION TOWNSHIP BOARD OF SUPERVISORS
BUSINESS MEETING
NOVEMBER 14, 2024

The Board of Supervisors of Upper Merion Township met for a Business Meeting on Thursday, November 14, 2024, in Freedom Hall, in the Township Building in King of Prussia. The meeting was called to order at 7:02 p.m., followed by a pledge to the flag.

ROLL CALL:

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

Meeting Minutes: October 10, 2024 – Zoning Workshop
 October 10, 2024 – BOS Workshop

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Philips, all voting "Aye" to approve the Minutes. None opposed. Motion approved 4-0.

CHAIRPERSON'S COMMENTS:

Chairperson Garzillo sadly announced that Mr. Howard Hoffman, Township resident and a member of the Media Advisory Board for 28 years was struck by a vehicle in a parking lot and passed away. He was only 70 years old and will be greatly missed. She extended the Township's sympathy to his family.

Mrs. Garzillo announced that prior to tonight's meeting she received a notice from Montgomery County stating they enacted a 30-day County wide burn ban. This is due to the lack of rain and dryness of the climate. More information about this ban will be on the Township's social media platforms as well as the Police & Public Safety platforms. Then she mentioned that a car parked over a pile of leaves caught-on fire due to everything being so dry and the car being hot, so she asked everyone to use extreme caution with cigarettes etc.

Chairperson Garzillo stated the Township was awarded two (2) DCNR Grants (Department of Conservation and Natural Resources). One for \$75,000.00 to be used for preliminary engineering for the Heuser Park Phase II. The second grant is for \$500,000.00 for the Moore Road-Schuylkill River West Trail connector trail system which will connect some of the fragmented trail systems.

CITIZEN BOARD VACANCIES:

Chairperson Garzillo gave an update on current Citizen Board vacancies.

CC Advisory Board	- 1 Vacancy
Economic Comm Dev Committee	- 2 Vacancy
ECDC Board Young Adult Mem.	- 1 Vacancy
Farmers Market Young Adult	- 1 Vacancy
Human Relations Commission	- 1 (Alternates)

Property Maintenance UCC Board	- 1 (Alternates)
Public Safety Advisory Board	- 1 Vacancy
Public Safety Board Young Adult	- 1 Vacancy
UM Foundation Sub-Committee	- 1 Vacancy
Upper Merion Historical Commission	- 1 Vacancies
UM Historical Comm. Young Adult	- 1 Vacancy
Zoning Hearing Board	- 1 Vacancy (Alternate)

NEW BUSINESS:

A. PROCLAMATION – Small Business Saturday.

Before Chairperson Garzillo read the Proclamation, she commented that the Economic & Community Development Committee has a lot of initiatives in place to help launch some of our small businesses and to promote them. There is an active Facebook page that they use as a bulletin board for small businesses to advertise on or to use if they're looking for employment help. Also, in the Township E-Newsletter there is a monthly spotlight for small businesses that ECDC highlights. Chairperson Garzillo read the Proclamation proclaiming November 30, 2024, as small business Saturday.

B. PUBLIC COMMENT - Agenda Items.

Chairperson Garzillo asked if anyone from the public wanted to comment on the Agenda before the Board goes over the list of items. Hearing and seeing none she moved on to the Consent Agenda.

C. CONSENT AGENDA re:

1. Trout Run WPCC Sludge Mixer/Conveyor Project: Approval of Payment Application No. 03 (Final Payment) in the amount of \$20,179.25 to Pumping Solutions, Inc. (PSI) of York Springs, Pennsylvania, as recommended by the project consultant. This final pay application includes a reconciling change order reflecting a \$10,000.00 credit to the Township, which decreases the final contract amount from \$413,585.00 to \$403,585.00.
2. 2024 Road Program: Approval of Payment Application No. 1 (Final Payment) in the amount of \$664,350.95 to Highway Materials, Inc. (HMI) of Flourtown, Pennsylvania, as recommended by the project consultant.
3. Resolution 2024-34 – Intermunicipal Recycling Grant Submission Agreement with Lower Merion Township and Narberth Borough. Approval of an intermunicipal agreement with Lower Merion Township and Narberth Borough for the joint submission of an annual Recycling Program Performance Grant to the PA Department of Environmental Protection.

4. Brownlie Road Culvert Replacement: Approval of Payment Application No. 04 in the amount of \$153,467.34 to G&B Construction Group, Inc. of Feasterville-Treose, Pennsylvania for contract work performed to date, as recommended by the project consultant.
5. Financial Escrow Security Release No. 1 – Chick-Fil-A Redevelopment, 135 W. DeKalb Pike - Approval of Escrow Release No.1 in the amount of \$620,821.75 for the completion of required site improvements to date as part of the Land Development project as recommended by the Township Engineer.
6. Resolution 2024-35 – Authorize Township Manager to submit a PECO Green Region Program Grant Application in the amount of \$50,000.00 on behalf of Upper Merion Township for the transition to 100% clean renewable energy.
7. Resignation of Laura Ware Adlington from the Upper Merion Historical Commission.
8. Citizen Board Appointments:
 - a. Community Center Advisory Board - Michael Hyman
 - b. Economic & Community Development Committee Young Adult – Katie Marshall
9. Budget Transfer: \$25,000.00 from 01-436-1400 Salary/Wages to 01-436-3730 Building Maintenance to fund additional facility maintenance activities in the Township Building.
10. Authorization for the Township Manager to sign Real Estate Tax Settlement Stipulations: GAHC3 King of Prussia Mob, LLC., 700 S. Henderson Road, for the tax year 2024 resulting in an overpayment of real estate taxes in the amount of \$8,195.39.
11. Authorization for the Township Manager to sign Real Estate Tax Settlement Stipulation for Owen G. Riley, III, 143 – 149 S. Gulph Road, for the tax year 2024 resulting in an overpayment of real estate taxes in the amount of \$1,058.10.
12. Accept Extension Letter – Abbonizio Real Estate Partnership, 316 W. Church Road until March 13, 2025.
13. Resolution 2024-36 – Disposition of Township Public Work Vehicles to J.J. Kane Auction in Plymouth Meeting for a total sale value of \$11,600.00.
14. Resolution 2024-37 – Approve a Statewide Local Share Assessment Grant of \$1,000,000.00 from the Commonwealth Financing Authority to be used for a public roadway improvement and Valley Forge Gateway Trail construction.
15. Resolution 2024-38 – Approve a Statewide Local Share Assessment Grant on behalf of the King of Prussia District (BID) for Moore Road Multimodal Trail Construction in the amount of \$1,000,000.00.
16. Approval to provide reimbursement to the King of Prussia District (BID) with funds from Department of Community and Economic Development (DCED)/Commonwealth Financing Authority (CFA) grant for the First Avenue Linear Park Phase 3 Project in the amount of \$250,000.00.

17. Approval to provide reimbursement to the King of Prussia District (BID) with funds from the Montco 2040 grant for the First Avenue Linear Park Phase 3 project in the amount of \$153,785.37.

18. Resolution 2024-39 – Amend Resolution 2024-11, Lazy Dog Colorado Ops, LLC, 160 N. Gulph Road, #211, King of Prussia to reflect correct address.

Board Comment:

Supervisor Phillips praised Mrs. Laura Ware Adlington and is sorry that she is resigning. He noted that she was a great asset and hopes she'll come back to the Historical Commission when her children are older.

Board Action:

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

D. CONSIDERATION OF A BUSINESS TAX APPEAL SETTLEMENT – Law Offices of McDonnell & Associates. Approval of a Business Tax Appeal submitted by Law Offices of McDonnell & Associates, 860 First Avenue, Suite 5B, King of Prussia, PA, for the tax year 2023 for late filing fee and interest for the tax year.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Waks, all voting "Aye" to approve the Business Tax Appeal for Law Offices of McDonnell & Assoc. None opposed. Motion approved 4-0.

E. CONSIDERATION OF A BUSINESS TAX APPEAL SETTLEMENT – McDonnell Real Estate, LLC. Approval of a Business Tax Appeal submitted by McDonnell Real Estate, LLC, 860 First Avenue, Suite 5B, King of Prussia, PA, for the tax year 2023 for late filing fee and interest for the tax year.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Waks, all voting "Aye" to approve the Business Tax Appeal for Law Offices of McDonnell & Assoc. None opposed. Motion approved 4-0.

F. CONSIDERATION OF A BUSINESS TAX APPEAL SETTLEMENT – Oliver Sprinkler Co., Inc. Approval of a Business Tax Appeal submitted by Oliver Sprinkler Co., Inc., 501 Fehely Drive, King of Prussia, PA, for the tax year 2023 for late filing fee and interest for the tax year.

Board Comment:

Supervisor Kenney said this is the third year in a row that they've asked for a Tax Appeal due to filing late; \$10,903 for penalty & \$5,452 for interest owed.

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Philips, all voting "Nay" opposing the Business Tax Appeal for Law Offices of McDonnell & Assoc. Motion was opposed 4-0.

G. VALLEY FORGE PRESBYTERIAN CHURCH ZONING HEARING BOARD APPLICATION - 191 Town Center Road. Motion to approve a letter of support by the Board of Supervisors for the ZHB application of Valley Forge Presbyterian Church for a variance to the side yard setback in the G Zoning District in conjunction with the proposed conversion of the existing Christian Education Building into 20 dwelling units in order to accommodate 3 two-bedroom units.

Board Comment:

Supervisor Waks thanked the Church and all the organizations involved for working with the Township in adding three apartments with two bedrooms to allow a family with limited funds to live there.

Supervisor Philips mentioned this project is not Section 8 Housing, it is affordable housing, which the Board has been asking developers to bring into the Township due to the homeless problem in Upper Merion.

Supervisor Kenney said that this vote is to approve a letter to the Zoning Board showing their support for this project which will help people in need.

Chairperson Garzillo agreed with the Board and also mentioned that Section 8 Housing is not a bad thing. There are already some homes in Upper Merion that are section 8 and she explained that the resident pays a portion of the rental cost and the rest is subsidized by the government.

Board Action:

It was moved by Supervisor Philips, seconded by Supervisor Waks, all voting "Aye" to approve the support letter to the Zoning Board. None opposed. Motion approved 4-0.

H. POSTING OF THE 2025 BUDGET.

Chairperson Garzillo made a few comments about the new Budget for 2025 stating that there will not be a tax increase on the Township portion of the Real Estate Tax Bill. Then she thanked all the department heads for working with the Board to make this happen and gave special thanks to the Township's new Finance Director, Mrs. Aimee Brouse. Aimee stepped into her new role just when the budget process started and came up to speed so quickly with energy and thoughtfulness in this process.

Next, Mrs. Garzillo said there will be a \$20.00 Sewer rate increase in 2025, which will only be \$10.00 for each bill making it \$159.50 twice a year. She mentioned even with the increase Upper Merion is among one of the lowest municipalities; and since our sewer is separate from the water bill and not linked with water consumption that also keeps the sewer bill low. Then she turned the floor over to the Township Manager, Tony Hamaday.

Mr. Hamaday thanked the Board for working with the Department heads to come up with a good balanced budget that will keep costs low and still meet the resident's needs. Unfortunately, it will defer some projects for two years or more; usually the capital budget is between 5 to 7 million dollars and this year it's under 7 million. Then Mr. Hamaday said the operating budget will be \$53,285,740.00, which includes the General Fund, Library Fund and Liquid Fuels Fund.

- 1) On the revenue side there is the Residential and Commercial Real Estate Tax, Act 511 Business Tax, Permit/Fees/Int., Grants, Aids & Interest and Liquid Fuels (gasoline revenue).
- 2) On the expense side (operating cost) there is Administration, Police Fire & EMS, Codes Enforcement, Public Works, Park & Rec., Library, Transfer/Debt and Liquid Fuels.

Next, Mr. Hamaday spoke about the Sewer Budget with total revenue of \$9,263,599.00 and a total of expense of \$9,048,066.00 which allows about \$200,000.00 to go into reserves. Between 2 to 3 million dollars should be invested annually to maintain the Sewer Plant and in the past few years the Township has been averaging about 1.4 million dollars in maintenance cost per year. So, with the increase they can bump the 1.4 million to 1.8 million to do a lot more projects, restorations and maintenance.

Then, Mr. Hamaday mentioned the 2025 Capital Budget again which was lowered to \$6,875,843.00 from the 14 million that the Staff asked for to complete much needed projects which will be deferred through the five (5) year capital project. This 2025 budget will be used for Technology Projects, Infrastructure, Public Works Equipment, Police Equipment, Fire & EMS Equipment, Vehicles for Public Safety, Community Center, Pool & Park Projects, Wastewater Treatment Plants & System and the Township Building Architectural & Design including a Generator and Garage door replacement.

Board Comment:

Supervisor Kenney said one of the reason for keeping the budget low is due to the Grant money the Township received by the Township Staff's hard work going out of their way to search and obtain over 6 million dollars in grants.

Board Action:

It was moved by Supervisor Kenney, seconded by Supervisor Waks, all voting "Aye" to approve the 2025 Budget. None opposed. Motion approved 4-0.

ACCOUNTS PAYABLE & PAYROLL:

Board Action:

It was moved by Supervisor Waks, seconded by Supervisor Phillips, all voting "Aye" to approve the Accounts Payables for invoices processed from October 10, 2024 to November 6, 2024 and Payrolls dated October 11th and 25th of 2024 for a total of \$4,582,709.89 None opposed. Motion approved 4-0.

ADDITIONAL BUSINESS:

Supervisor Philips thanked the Township's professional staff in the EMS and Public Service division, both the Police Officers and EMT's that responded to an incident in his development when a neighbor got hurt after passing out. He also wanted to wish everyone a Happy and Safe Thanksgiving.

Supervisor Kenney mentioned there will be an Alzheimer presentation at the Senior Service Center on December 12th. Chairperson Garzillo said the annual Holiday Village will be December 7th. She also mentioned the Farmer's Market will hold their annual Chili Cook Off on November 23rd. PECO is holding a forum at the Senior Service Center on December 11th about energy assistance and other offers that PECO has in place for residents. This forum was made available through our ECDC with the first one occurring in August and then this December, they are hoping to do this twice each year.

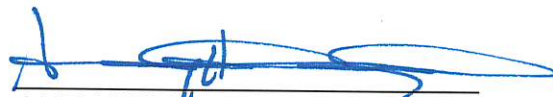
Finally, Chairperson Garzillo mentioned on November 21st in Freedom Hall there will be a second Comprehensive Plan Open House from 6 pm to 9 pm for resident's input and to answer questions.

Public Comments:

Resident Howard Richardson from Swedeland asked if the Township has an Emergency Fund. Mr. Hamaday replied there is \$300,000 emergency fund and the full budget will be posted on the Townships website. A hard copy will be available in the Library for anyone to review.

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 8:18 pm. None opposed. Motion approved 4-0.



ANTHONY HAMADAY
TOWNSHIP MANAGER

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Minutes Approved:
Minutes Entered:

