

# UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

## BOARD OF COMMISSIONERS BUSINESS MEETING MINUTES

March 11, 2024

This meeting was held in person at the Township and live streamed on our website at [www.uppergwynedd.org](http://www.uppergwynedd.org)

### 1. Call to order

The March 11, 2024, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Katherine D. Carter at 7:00 PM. This meeting was recorded and visually taped.

### 2. Pledge of Allegiance

The Pledge of Allegiance was led by Township Solicitor Nicole Feight.

### 3. Roll Call

Roll call was taken by Deanna Logan, Executive Assistant to the Township Manager. The individuals in attendance were:

Katherine D. Carter	President
Rebecca Moodie	Vice President
Denise M. Hull	Commissioner
Liz K. McNaney	Commissioner
Gregory J. Moll	Commissioner
Sandra Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Nicole Feight	Township Solicitor
Leanna Colubriale	Township Engineer
David Duffy	Chief of Police
Nathan Crittendon	Finance Director
E. Van Rieker	Zoning Officer

### 4. Announcement of Executive Sessions

Ms. Feight said the Board met in Executive Session earlier this evening to discuss matters of personnel.

### 5. Board of Commissioners Recognition of Jayne Blackledge on her retirement from the North Wales Area Library (NWAL)

President Carter said Jayne Blackledge has worked at the NWAL for the past 43 years. She began her career volunteering to start children's programming in our local public library. The North Wales Area Library has won many awards under Jayne's leadership including highlighting the green building design, providing a friendly atmosphere, the human library project and a wealth of other offerings that have increased membership. During the pandemic they learned innovative methods to meet our community's needs and continue to offer curbside pick-up, which is very helpful to people in our community. From adult book groups to attraction passes to story time, the library offers something for everyone and that is thanks to Jayne's dynamic leadership.

Mrs. Blackledge thanked the community for all the support. The library is a diverse place for everyone to come. She said she spent her entire life at the Library as her mother was the director before her.



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Martha Simelaro called in and said these remarks about Jayne Blackledge. This evening, I'd like to say a few words about Jayne, our North Wales librarian. Some of you may ask, "What does a librarian do? Aside from taking care of the library". Let me tell you a few other things they do.

Librarians are the gatekeepers of wisdom, the guardians who stand watch over the vast repository of human thought. They are the stewards of curiosity. They ensure that every seeker finds their direction but not only to facts but also to wonder. Librarians have an uncanny ability to recommend the perfect read and many times lead us to uncharted literary territories. Librarians are storytellers, not just from books but from their own experiences. These stories then become a part of the library's lore. They are also architects. They construct bridges between generations. They fire up the curiosity in toddlers and rekindle it in retirees. These are some of the things that librarians do, and this is what Jayne has done so well, every day for over 40 years. So tonight, we honor Jayne who lights up our minds and hearts and has shaped many of our literary journeys. Thank you for making our world richer, one book at a time. We'll miss you.

### 6. Public comments and concerns (limit of five minutes per individual)

Mrs. Carter said Bill Jackson asked several questions at the last meeting and here is the response that was sent by Sandra Zadell.

- Q. Liberty Bell Trail consideration- he was at the park assessment meeting; His belief when the baker study was done 3 years ago that the trail was going to go up Dickerson. The map has it going up winding along the creek Sumneytown and Wissahickon Ave. He has lost sleep over it, its bad use of tax dollars. It implies that there will be several bridge/creek crossings. Ask for consideration to take it up Dickerson road- striped bike lane, will pass Dodsworth park and will avoid flooding issues not being along the creek.
- A. We have selected this area for placement of the trail due to the fact that it is part of the PECO easement area and we already have that easement. If we did the alternate route we would end up with a mostly on road route or wait years for potential easement acquisition (which is very difficult for trails). Our goal is to create mostly off road trails, with some sharrows and bike lanes out of necessity. We aren't attempting to be irresponsible with tax dollars. We can't get grant funding without easements, so the trail would likely not be built if it was on private property. We are attempting to build a nice trail, that is off road, and in this case, we have the easement in hand. Often times trails are built along creeks (Neshaminy Creek trail in Bucks County). Now in the future that may change, but for now that is where we are.
- Q. Zoning Ordinance update- you asked if the BOC could consider language for that definition of parking to be updated for bike parking to be included as well. I think you plan to supply an example of language that another Township in Montgomery County adopted.
- A. We will consider this for future updates within our Zoning Ordinance. Please send along the sample ordinance for review.
- Q. Church Road- the residents deserve a completely connected sidewalk along Church Road from Sumneytown to down where the sidewalk exist at the SEPTA train station.
- A. I believe you were referring to the Preliminary Approval for 212 Church Road. In looking at the plans/resolution, it shows that there is a sidewalk and no fee in lieu of sidewalk. They will still need final approval if they move forward. In general, we rarely allow for a waiver of sidewalks, unless it is a small internal development with no potential connections to sidewalks.
- Q. West Point railroad crossing- the metal plating has been in disrepair since he has lived here; large gaps; they have on occasion tried to fix it by pouring hot mix into it. It just needs to be replaced. It's a hazard to tires.
- A. Megan has personally called our contact for the railroad, Peter, 2 times and never received any returned calls. It was confirmed that we can request that they make the upgrades but there is nothing that allows us to require them. We will continue requesting this repair and formalize it via letter.
- Q. Also, on the northbound side of the west point railroad there is a reoccurring pothole that is starting to form again. Its filled in and just comes back. Also, on the opposite side where the turn lane is, the road crumbles and they fix it, and it crumbles again. You believe that whole area where the railroad crossing is needs to be fixed. You will be submitting a proposal to this BOC, the County, SEPTA, the



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State Representative until it is fixed. He understands that railroads are complicated, and it takes time to fix but it really has been an ongoing problem.

- A. West Point Pike is a county roadway, and not UGT's responsibility. We will reach out to the County Roads and Bridges department and request repair.
- Q. Stoney Creek Park- Place bollards to prevent cars but allow people/bikes/formal entrance.
- A. I have sent this to our Parks and Recreation department to review this request. We will be in touch with their reply when we have it.

President Carter also addressed concerns about door to door sales solicitation that were brought up by Peter Habeeb. She said Deputy Chief Caiola completed his investigation into Mr. Habeeb's concerns regarding his interaction with our officers on a solicitor's complaint. The complaint received was about door-to-door sales solicitation. Officer Buonanno was the first officer to have contact with Mr. Habeeb. Once Habeeb explained what he was doing, Officer Buonanno was checking the ordinance because of the day and hour that he was soliciting, not because of the reason he was soliciting. Officer Young spoke to the residents who complained, then joined Officer Buonanno in speaking with Mr. Habeeb. Both officers said they did not argue with Mr. Habeeb. They did tell him about checking the date and hour restrictions listed in the ordinance, but that they were noting that there was no violation of the ordinance at this time. DC Caiola did follow up with Mr. Habeeb to let him know his findings. Mr. Habeeb said the officers were not argumentative and he did not know the officers were only checking time and date concerns. Mr. Habeeb inquired again why the exemptions are not listed in the ordinance. It was explained that officers understood the exemptions and the ordinance was created for solicitation that is not exempt (sales solicitations).

Fred Hencken asked about what progress the Township has made regarding leaf collection from the trash haulers. He asked why nonresidents are allowed to fill out the Park & Open Space Comp Plan survey. He commented that he doesn't understand why we don't mail the survey out to residents.

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### 7. Public Hearing – Ordinance 2024-01 (March 11, 2024)

The purpose of this hearing is to hear comment pursuant to the consideration of Ordinance 2024-01, amending the Upper Gwynedd Township Code of Ordinances at Chapter 195 **"ZONING," AT SECTION 3 – "WORD USAGE; DEFINITIONS" AND CHAPTER 195 – "ZONING," AT SECTION 22 – "C – COMMERCIAL DISTRICT" AND CHAPTER 195 – "ZONING," AT SECTION 28 – "PARKING FACILITIES.**

Brief explanation by Nicole Feight, Township Solicitor

Ms. Feight read the above purpose of the Ordinance and said it provides a definition for convenience store as well as to clarify the sale of gas is permitted as a special exception and to clarify parking requirements associated with that use.

Ms. Feight entered the following exhibits into record.

Exhibits:

- T1: Ordinance 2024-01
- T2: Proof of Publication of Legal Advertisement – February 20 and 27, 2024
- T3: Upper Gwynedd Planning Commission Review Letter
- T4: Montgomery County Planning Commission Review Letter

### 8. Request for public comment

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Carl Smith asked if this relates to the Wawa property. Ms. Feight said this is to clarify the existing ordinance based on staff review to clean up the language and is not specific to anything the Township is working on. Mr. Rieker said Wawa already has already been approved so this amendment has nothing to do with Wawa. We've added language that is beneficial to parking and such and to make the language, so it is applicable to what we've already been asking developers to do.

### 9. Close of Public Hearing

President Carter closed the Public Hearing.

### 10. Motion to approve Ordinance 2024-01

Hearing no public questions or comments, upon motion by Commissioner Hull, seconded by Vice President Moodie, Ordinance 2024-01 was unanimously approved.

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### Katherine D. Carter, President Finance/Personnel/Administration

### 11. Motion to approve Consent Items A-H (via roll call vote)

- A. Staff Department Reports
- B. BOC Meeting Minutes of February 5, 2024
- C. BOC Meeting Minutes of February 12, 2024
- D. Payment #3 to Schipsi Electric for the Facilities Upgrade Project in the amount of \$24,980.30
- E. Merck waiver request from Chapter 113-1 & 124-5 for Sunday work on WP07 AWTS Waste Collection Project: April 1 – June 30, 2024, select Sundays only)
- F. Escrow Release #7 for Roosevelt Court in the amount of \$21,073.50
- G. Escrow Release #4 for Wheatley Walk in the amount of \$66,270
- H. Laurel House 5K Race on Sunday, October 20, 2024 from 7 am – 12 pm.

Hearing no public questions or comments, upon motion by Vice President Moodie, seconded by Commissioner Moll, the Consent Items were unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye
	Commissioner McNaney	Aye
	Commissioner Moll	Aye

### 12. Motion to approve Payment #4 to SB Conrad for the Facilities Upgrade Project in the amount of \$30,560.86 (via roll call vote)

Hearing no public questions or comments, upon motion by Vice President Moodie, seconded by Commissioner Hull, the motion was unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye
	Commissioner McNaney	Aye
	Commissioner Moll	Aye



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### Rebecca Moodie, Vice President Zoning/Planning/Code Enforcement

13. Motion to approve Resolution 08-2024: Preliminary/Final Land Development for Merck B41 as amended

- Merck Presentation

Greg Landis on behalf of Merck said this was approved in January but they have since changed the footprint of the building. The research facility will be 119,324 sf on a footprint of 43,106 sf which is an increase of 1,031 sf for the footprint and a building increase of 13,611 sf. Mr. Landis said the building size remains the same with the increase of square footage coming from a relocation of a stair tower.

Hearing no public questions or comments, upon motion by Vice President Moodie, seconded by Commissioner Moll, the motion was unanimously approved.

### Denise M. Hull Public Safety

14. Motion to approve purchase a 2023 Ford Police Interceptor as a replacement vehicle in the amount of \$41,570. (via roll call vote)

Hearing no public questions or comments, upon motion by Commissioner Hull, seconded by Vice President Moodie, the motion was unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye
	Commissioner McNaney	Aye
	Commissioner Moll	Aye

Mrs. Hull thanked the Reserve at Gwynedd for a generous donation to the Canine Unit and for their donation to the Upper Gwynedd Fire Department.

### Gregory J. Moll Public Works/Parks/Recreation

15. Motion to authorize bidding of the Haines Run Streambank Restoration Project

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Commissioner Hull, the motion was unanimously approved.

16. Motion to approve Resolution 07-2024 closing out the Community Conservation Partnerships Grant Project BRC-RCP-27-238 for the Haines Run Streambank Restoration Project

This grant provided the financing for the engineering and design phase of the project.

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Vice President Moodie, the motion was unanimously approved.

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17. Motion to award the contract to the lowest responsible bidder for the West Prospect Drainage Improvements Project, NJS Concrete, inclusive of the base Bid and Alternate Bid No. 1 in the total amount of \$185,295.00.

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Commissioner Hull, the motion was unanimously approved.

18. Motion to approve the Bid Award for the North Wales Trail Crossing Project to Armour & Sons Electric, Inc. in the amount of \$61,194.

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Vice President Moodie, the motion was unanimously approved.

19. Motion to approve the Bid Award for the 2024 Liquid Fuels Road Program to James D. Morrissey in the amount of \$829,311.40

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Commissioner Hull, the motion was unanimously approved.

20. Motion to approve the request for exemption for UGT Parks & Recreation Department and event Unity for Kindness Day.

Hearing no public questions or comments, upon motion by Commissioner Moll, seconded by Vice President Moodie, the motion was unanimously approved.

### **Katherine D. Carter, President** **Wastewater Treatment**

21. Motion to approve the purchase of a 2024 John Deere Gator in the amount of \$22,742.55  
(via roll call vote)

Hearing no public questions or comments, upon motion by Commissioner Hull, seconded by Vice President Moodie, the motion was unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye
	Commissioner McNaney	Aye
	Commissioner Moll	Aye

### **Other Business**

22. Motion to approve the March 2024 Open Invoices (via roll call vote)

Hearing no public questions or comments, upon motion by Vice President Moodie, seconded by Commissioner Hull, the Open Invoices were unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye

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Commissioner McNaney	Aye
Commissioner Moll	Aye

23. Motion to approve the March 2024 Paid Invoices (via roll call vote)

Hearing no public questions or comments, upon motion by Commissioner Hull, seconded by Commissioner Moll, the Paid Invoices were unanimously approved.

Roll call vote:	President Carter	Aye
	Vice President Moodie	Aye
	Commissioner Hull	Aye
	Commissioner McNaney	Aye
	Commissioner Moll	Aye

24. Call for Adjournment

President Carter adjourned the meeting at 7:44 pm.



Respectfully Submitted,

Sandra Brookley Zadell  
Secretary

**Approved April 8, 2024**

/djl