

# UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

## BOC BUSINESS MEETING MINUTES

April 20, 2021

This meeting was held virtually due to the COVID-19 pandemic. The public was notified of the meeting via an ad in The Reporter as well as our website and other social media. The public was invited to participate by calling in or by submitting questions in advance.

### 1. Call to order

The April 20, 2021, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Liz K. McNaney at 7:02 PM. This meeting was recorded and visually taped.

### 2. Pledge of Allegiance

Mrs. McNaney led the Pledge of Allegiance.

### 3. Roll Call

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

Liz K. McNaney	President
Denise M. Hull	Vice-President
Martha A. Simelaro	Commissioner
Katherine D. Carter	Commissioner
Ruth S. Damsker	Commissioner
Sandra Brookley Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Lauren Gallagher	Township Solicitor
Isaac Kessler	Township Engineer
David W. Duffy	Chief of Police
David Brill	Finance Director
Ken Amey	Assistant Zoning Officer

### 4. Announcement of Executive Sessions

Ms. Gallagher said the Board met in Executive Session on April 12, 2021 to discuss matters of personnel and matters of litigation and on April 20, 2021 to discuss litigation and potential litigation.

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

There was no public comment

### 6. Recognition of Alec Chang for his hard work in building the Community Garden

Mrs. Prebis said Alec Chang wanted to do an Eagle Scout project for the Township. He built a beautiful community garden on the Woodlands Trail at Parkside Park. We will be planting fruits and vegetables on Earth Day in the Community Garden.

Mr. Chang said it was a great honor to do this for the Township as his Eagle Scout project.



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### 7. Recognition of John Murray for his dedication to the Parks & Recreation Department since 1992

Mrs. Prebis said John Murray has been a tremendous asset to the Parks and Recreation Board. Mr. Murray has been with the Upper Gwynedd Park Board since 1992. He helped construct the Park Sci Playground and was part of the new pavilion, pickle ball courts, amphitheater, new Holiday lights event, and many Fall Fests and Carnivals. Mrs. Prebis added, Parks and Rec has come a long way because of people like John Murray and his countless hours of volunteering. I've had the privilege of only knowing him for the past two (2) years and I will miss his vast knowledge of Upper Gwynedd. He really made an impact on me and the rest of the board.

Mrs. Prebis went on to say, his most famous role is the 'sausage king.' Mr. Murray and his whole family comes every year to 'work/volunteer' for our sausage stand at the Carnival. He has raised thousands of dollars for Upper Gwynedd. Upper Gwynedd was very lucky to have you for as long as we did.

Former Parks and Rec Director Alex Kaker called in to thank Mr. Murray for his service.

Alex Kaker, 1761 Carriage Ct, Green Bay, Wisconsin – thanked Mr. Murray for his 29 years of service and said he was a huge help to him during his tenure at Upper Gwynedd and will always appreciate the relationship we had and wished him well in his retirement.

Mr. Murray said it was his pleasure and privilege of serving the Township.

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### 8. Public Hearing – 467 Sumneytown Pike (**See attached Court Report**)

The purpose of this hearing is to hear comment pursuant to the consideration of an Application for Conditional Use Approval for the property located at 467 Sumneytown Pike, (Shoppes at Upper Gwynedd) North Wales, Upper Gwynedd Township, Montgomery County, Pennsylvania. This application has been made by property owner, Upper Gwynedd Equities, LLC for the purpose of constructing a private daycare and preschool serving toddlers and young children ages 12 months to 6 years.

Brief explanation by James Garrity, Township Special Counsel

Exhibits:

- T1: Application for Conditional Use and Plan Set
- T2: Proof of Publication of Legal Advertisement – March 30 and April 6, 2021
- T3: Township Traffic Engineer Review Letter
- T4: Township Engineer Review Letter
- T5: Verification of Posting Notice
- T6: Letter from Bernadette Kearney waiving the applicable MPC time frame
- T7: Fire Marshal review letter
- T8: Notice of Conditional Use Hearing
- T9: Copy of cover letter regarding the above notice
- T10: List and of property owners that were notified of this hearing
- T11: Map showing the conditional use property and the statutory distance around the property that received notices of the hearing



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T12: Ordinance 18-004 permitting multiple uses on a single property by conditional use

Applicant's Exhibits

A1: Booklet with sub exhibits

9. Request for public comment

10. Motion to close the Public Hearing

Because of the time, Mr. Garrity continued the meeting with everyone's consent. This meeting will be continued on Monday, May 10, 2021 at 7:00 pm. This meeting will not be readvertised.

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

- A. Staff Department Reports
- B. Public Meeting Minutes of March 8, 2021
- C. Public Meeting Minutes of March 16, 2021
- D. Merck & Co. waiver request from Chapter 113-1 & 124-5 for extended work hours to complete exterior siding work to enclose Modular Building WP 60A. April 25, 2021 through May 30, 2021.
- E. Shoppes at Upper Gwynedd Escrow Release #5 in the amount of \$40,150.00
- F. Emergency Declarations dated March 22 and 29, April 5, 12 and 19, 2021
- G. Payment #17 to PACT One for the Pump Station & Force Main Project in the amount of \$200,396.82
- H. Payment #9 to BSI for the Pump Stations Electrical Contract in the amount of \$22,800

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Simelaro, the motion to approve the Consent Items was unanimously approved.

Roll call vote:    President McNaney                      Aye  
                         Vice President Hull                      Aye  
                         Commissioner Carter                      Aye  
                         Commissioner Simelaro                      Aye  
                         Commissioner Damsker did not vote as she was having technical difficulties

**Liz K. McNaney, PRESIDENT**  
**Finance/Personnel/Administration**

12. Motion to proclaim May 1, 2021 as Arbor Day in Upper Gwynedd Township

Hearing no public questions or comments, upon motion by Mrs. Hull, seconded by Mrs. Simelaro, the motion was unanimously approved. Mrs. Carter did not vote as she was having technical difficulties.

13. Motion to approve the hiring of Patty Hovis as Staff Accountant for the Finance Department

Hearing no public questions or comments, upon motion by Mrs. Damsker, seconded by Mrs. Simelaro the motion was unanimously approved.



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14. Motion to approve the hiring of Kelly Luby as Part Time Administrative Assistant for the Finance Department

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

### **Denise M. Hull, VICE PRESIDENT** **Zoning/Planning/Code Enforcement**

15. Resolution 14-2021, Preliminary/Final Subdivision Land Development Approval of Merck WP 32 Freezer Facility subject to the conditions set forth in the resolution

Merck Presentation by Greg Landis, IPS, Tom Alvarez, Merck and David Brooman, attorney representing Merck. Mr. Landis said this is one of the smallest land developments Merck has brought before the Board. The project is in the center of the West Point site. Two (2) old buildings will be demolished to accommodate one 22,852 sf total 2-story building with penthouse and offices for ten (10) staff. The building will house multiple minus 70-degree freezers. This was originally submitted as a one-story building which was revised and resubmitted as a 2-story building. Merck is requesting 9 waivers consistent with previous approvals. Some additional parking will be added to accommodate ten (10) spaces. EAC comments were included in the plan and appropriate trees and shrubs will be added.

Mrs. Hull commented that all Township consultants have recommended approval of this plan.

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

- 15A. Motion to send the solicitor to the ZHB meeting on April 27, 2021 to represent the Township for ZHB 21-05, 800 North Wales Road, Geissele Automatics

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

- 15B. Motion to send the solicitor to the Worcester Township ZHB meeting to represent the Township for 2816 Morris Road

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

### **Katherine D. Carter** **Public Safety**

16. Motion to approve Resolution 17-2021, accepting Charles Staub into the Deferred Retirement Option Program (DROP) program

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Simelaro, the motion was unanimously approved. Mrs. Damsker did not vote as she was having technical difficulties.



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### **Ruth S. Damsker** **Public Works/Parks/Recreation**

17. Motion to approve Skelly's Carnival Contract – 2021 – 2023

Hearing no public questions or comments, upon motion by Mrs. Damsker, seconded by Mrs. Simelaro, the motion was unanimously approved.

18. Motion to approve the advertisement of the bid for Equipment Rental and Labor for various stormwater projects.

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Hull, the motion was unanimously approved. Mrs. Damsker did not vote because of technical difficulties.

19. Motion to approve Resolution 15-2021, Traffic Signal Maintenance Agreement with PennDOT

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

### **Martha A. Simelaro** **Wastewater Treatment**

20. Motion to approve the purchase of a 2021 Ford Ranger through COSTARS in the amount of \$30,633 (via roll call vote)

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

Roll call vote:    President McNaney                      Aye  
                         Vice President Hull                      Aye  
                         Commissioner Carter                      Aye  
                         Commissioner Simelaro                      Aye  
                         Commissioner Damsker was unable to vote due to technical difficulties

21. Motion to approve the purchase of Clarifier Sounding Equipment through COSTARS in the amount of \$30,000 (via roll call vote)

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

Roll call vote:    President McNaney                      Aye  
                         Vice President Hull                      Aye  
                         Commissioner Carter                      Aye  
                         Commissioner Simelaro                      Aye  
                         Commissioner Damsker was unable to vote due to technical difficulties



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22. Motion to approve Resolution 18-2021, new project scope and cost for the Emergency Electrical Procurement at the WWTP

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

### Other Business

23. Motion to approve the April 2021 Open Invoices (via roll call vote)

Hearing no public questions or comments, upon motion by Mrs. Simelaro, seconded by Mrs. Carter, the motion to approve the Open Invoices was unanimously approved.

Roll call vote: President McNaney Aye  
Vice President Hull Aye  
Commissioner Carter Aye  
Commissioner Simelaro Aye  
Commissioner Damsker was unable to vote due to technical difficulties

24. Motion to approve the April 2021 Paid Invoices (via roll call vote)

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Hull, the motion to approve the Paid Invoices was unanimously approved.

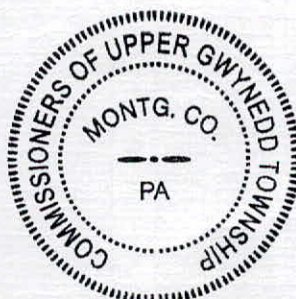
Roll call vote: President McNaney Aye  
Vice President Hull Aye  
Commissioner Carter Aye  
Commissioner Simelaro Aye  
Commissioner Damsker Aye

25. Call for Adjournment

Commissioner Hull said went over some upcoming Township events. Earth Day will be celebrated with the planting of our community garden on April 22 at 1 pm and later on at 7pm is the Community Conversation about Discrimination, Diversity & Tips for Adapting to our Changing Environment. On Sunday April 25<sup>th</sup> at 11 am, the Commissioners will be doing a clean up around the Township and on May 1<sup>st</sup> there is an Arbor Day Tree Planting beginning at 9 am and at 1 pm is a Unity for Kindness Day event at Parkside Place. She added residents may sign up on our website for the Rain Barrel workshop on June 14<sup>th</sup> at 6:30 pm.

Mrs. Zadell announced some very exciting news that Upper Gwynedd is the recipient of a \$1.2 M grant for the Sumneytown Bridge Project.

Mrs. McNaney adjourned the meeting at 10:00 pm.



Respectfully Submitted,

*Sandra Brookley Zadell*  
Sandra Brookley Zadell  
Secretary

Approved May 24, 2021