

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING MINUTES

February 24, 2020

Announcement: There was an Executive Session on February 10, 2020 at 8:30 pm to discuss matters of personnel, real estate and litigation.

Mrs. Hull made the above announcement after calling the meeting to order.

Denise M. Hull, VICE PRESIDENT Finance/Personnel/Administration

1. Call to order

The February 24, 2020, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by Vice President of the Board, Denise M. Hull at 7:00 PM.

2. Pledge of Allegiance

Officer Jonathan Gill led the Pledge of Allegiance.

3. Roll Call

Mrs. Hull said the roll call is a new addition to the meeting to help attending residents recognize department chairs and staff.

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

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
Monica Wall	Township Engineer
David W. Duffy	Chief of Police
Ted Caiola	Deputy Chief of Police
E. Van Rieker	Zoning Officer
David Brill	Finance Director

Board President Liz K. McNaney was absent.

4. Swearing in of Police Officer Montana Lighthart

Mrs. Carter welcomed Suzan Leonard, District Judge. Mrs. Carter said Officer Lighthart lives in Lower Merion Township and graduated from Shippensburg University in 2017 with a bachelor's degree in criminal justice. He is a 2018 graduate of the Montgomery County Municipal Police Academy where he attained his Act 120 training. He has been a deputy with the Montgomery County Sheriff's Department since August of 2018. A complete background investigation was conducted, and the Civil Service Commission certified him as an eligible candidate.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

Officer Lighthart was sworn in by District Judge Suzan Leonard. He was congratulated by the Board following his swearing in ceremony.

5. Recognition of Jonathan Gill for 10 years of service to the Township (will attend)

Mrs. Carter recognized Officer Jonathan Gill for 10 years of service. She said Officer Gill is a department taser instructor and a prior arms instructor. He also serves as a field training officer and is the department's abandoned vehicle officer. The Board of Commissioners congratulated Officer Gill on his 10 years of service.

6. Recognition of Michael Mathey for his years of volunteer service to the Township (IDA 2005) – will attend

Mrs. Hull and the Board recognized Mr. Mathey for his 15 years of service on the Industrial Development Authority which provides low interest loans to help people redevelop a community. The IDA helped finance many projects in the community including the North Penn YMCA. Mrs. Hull said she is grateful to Mr. Mathey for stepping up and giving back to the community. He was thanked and congratulated by the Commissioners.

7. Recognition of A. Kirk Field for his years of volunteer service to the Township (ZHB 1988) – will attend

Mrs. Hull recognized Kirk Field for his service on the Zoning Hearing Board for the past 32 years. He left the ZHB because of a recent move out of the Township. Mr. Rieker, Zoning Officer said Mr. Field participated in over 400 ZHB meetings during his tenure. He provided careful analysis, thoughtful questions and sage advice to the Zoning Hearing Board in reaching decisions on all of those cases. He added the Township was fortunate to have him serve on the ZHB. He was congratulated and thanked by the Commissioners for his service.

8. Announcement of the recognition of Lou Lanzilotta (ZHB 1991) and Kathy Dooley (P&R 2016) for their years of volunteer service to the Township (unable to attend)

Mrs. Hull said 2 volunteers were unable to attend and recognized Lou Lanzilotta for his service to the ZHB for 29 years and Kathy Dooley for her service to the Parks & Recreation Board for 4 years. She added both were a huge asset to the Boards to which they served, and we are grateful they helped make our Township a better place.

Mrs. Hull also announced the passing of Jean DeBarth, who she regards as one of the founding fathers of Upper Gwynedd. He served as a volunteer from 1955 until his retirement in 2005. In his 50 years volunteering for the Township, Mr. DeBarth served on a Land Use sub-committee, the Planning Commission, the Zoning Hearing Board and finally as a Commissioner serving as President and Vice President. Mrs. Hull said Mr. DeBarth's presence is still part of Upper Gwynedd. We are forever grateful that he gave back as much as he did to our Township and laid the foundation for the wonderful place to live that we call Upper Gwynedd.

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

Clare Edelmayer, 35 North Lane said she has a few questions for Mrs. Hull. She said a new member, Mark Connelly, was appointed to the ZHB at the Board Meeting on January 27, 2020. On Tuesday, January 28, 2020 she said her husband (former ZHB solicitor) was informed not to attend the ZHB meeting that evening. She went on to say that the two (2) new members of the ZHB and the alternate Jack Ferguson were present at the meeting. Mrs. Edelmayer stated there was a meeting in the back prior to the ZHB meeting in which the new ZHB solicitor was present to which Mrs. Hull replied correct. Mrs. Edelmayer then stated that three (3) Commissioners, mentioning Mrs. Damsker by name, were also present at that meeting to which Mrs. Hull replied no and Mrs. Damsker replied that she wasn't there. Mrs. Edelmayer said that was her mistake. Mrs. Hull said there was no meeting prior to the ZHB, and the new solicitor was there to meet the members of the ZHB. Mrs. Edelmayer stated they voted to approve the new solicitor in the back room. Mrs. Hull said no, they voted to approve the new solicitor at the ZHB public meeting. Mrs. Hull said the two (2) new ZHB members selected the solicitor earlier in the day and Mr. Ferguson, the alternate was not part of the decision. Mrs. Hull said, when she was informed of the upcoming change, she instructed Mr. Rieker to notify Mr. Edelmayer. Mrs. Edelmayer said the situation was handled poorly.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

10. Motion to approve the Minutes of the Reorganization Meeting held January 6, 2020

Mrs. Hull said the Reorganization Meeting Minutes were received with the Agenda packet. Hearing no public questions or comments, upon motion of Mrs. Damsker seconded by Mrs. Simelaro the Minutes of the January 6, 2020 Reorganization Meeting were approved as presented.

11. Motion to approve the Special Meeting Minutes held January 25, 2020

Mrs. Hull said the Special Meeting Minutes were received with the Agenda packet. Hearing no public questions or comments, upon motion of Mrs. Damsker, seconded by Mrs. Carter the Minutes of the January 25, 2020 Special Meeting were approved as presented.

12. Motion to approve the Minutes of the Public Meeting held January 27, 2020

Mrs. Hull said the Public Meeting Minutes were received with the Agenda packet. Hearing no public questions or comments, upon motion of Mrs. Damsker seconded by Mrs. Simelaro the Minutes of the January 27, 2020 Public Meeting were approved as presented.

13. Motion to approve the Annuity Agreement with Scott Clark

Mrs. Hull said this annuity agreement is part of the conditions of our separation agreement with Scott Clark who was a police officer in the Township until 2018.

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

14. Motion to approve the Agreement between the Delaware Valley Municipal Management Association (DVMMA) and Upper Gwynedd Township

Mrs. Hull stated this will provide additional services for our employees from our health insurance provider, DVHT to include; medical case management, consultations, vocational services and more.

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

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

15. Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on B63 Vaccine Manufacturing Project; Sundays in March & April 2020

Mrs. Hull stated all three (3) waiver requests from Merck are in addition to Saturday work and are on an as needed basis.

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

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

16. Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on West Point Building 16 Renovation Project; Sundays in March 2020

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

17. Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on West Point Building 69D Renovation Project; Sundays in March 2020

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

18. Motion to approve the agreement with Lilliana Mitchell and Upper Gwynedd Township regarding 626 Sumneytown Pike

Mrs. Hull said this agreement summarizes the requirements to complete the remaining punchlist items from the subdivision land development on 626 Sumneytown Pike.

Mrs. Carter asked if this was the final punchlist for this property. Ms. Gallagher said this is the final punchlist and there may be some minor additions, but these are the five (5) outstanding major items to be completed.

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

19. Motion to authorize the Township Manager to execute the maintenance agreement and accept the Deed of Dedication for the Preserve at Gwynedd/Samantha Court

Mrs. Hull said this is something new that our solicitor suggested we have a formal process to accept dedication.

Ms. Gallagher said the Township is accepting the sanitary sewer facilities for Samantha Court. The Developer will maintain it during the 18-month maintenance period. It becomes the Township's responsibility once the developer's maintenance period has ended and the maintenance bond is returned to the developer.

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

Katherine D. Carter **Public Safety**

20. Motion to approve the North Penn YMCA 5K/10K Race on Saturday, May 30, 2020

Mrs. Carter said the Police Department vetted this race and recommends approval. Two hundred (200) participants are expected.

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

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

21. Motion to approve the Laurel House 5K Dash Against Domestic Violence on Sunday, October 18, 2020

Mrs. Carter said the Police Department has also recommended approval of this race. The Laurel House is a local organization committed to assisting the victims of domestic violence.

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

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

22. Motion to approve Resolution 09-2020, the Delaware Valley Regional Planning Commission (DVRPC) Transportation and Community Development Initiative (TCDI) Application

Mrs. Damsker said this is for a feasibility study grant for the Liberty Bell Trail. This is a collaborative effort with several municipalities to study the feasibility of the Liberty Bell Trail through our communities. The purpose of the feasibility study is to look at the trail alignment that currently exists and see if it makes sense for our residents. As part of the study, meetings will be held with residents who live along the trail by Township staff and the project engineer. The feasibility study will also provide a cost estimate for the trail in our area and a recommended route. The Township is responsible for a matching grant that is not expected to exceed \$15,000.

Mrs. Zadell said there has been a lot of resident concern regarding the Liberty Bell Trail. She said the purpose of the feasibility study to figure out what is most feasible and what works best, taking into account, resident's opinions. She said community outreach is a big component of the feasibility study.

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

23. Motion to approve the letter of support to North Wales Borough for the Montco2040 Implementation Grant for the Center Street Pedestrian Connection and Gateway Project

Mrs. Damsker reported North Wales Borough is applying for a grant from the Montgomery County 2040 program to improve pedestrian safety, visibility and access to Parkside Place Park. This project will install new sidewalks, crosswalks and ADA ramps on the North Wales side of Center Street. There will be a new gateway entrance with signage and lighting. This project will connect to the Township project. There is no cost to Upper Gwynedd on this project.

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

Martha A. Simelaro **Wastewater Treatment**

24. Motion to approve payment #6 to Eastern Environmental Contractors for the WWTP Hydraulic Expansion Project (Electrical) in the amount of \$31,365 (via roll call vote)

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

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

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

25. Motion to approve payment #3 to PACT One Construction for the Pump Station & Force Main Project in the amount of \$743,659.92 (via roll call vote)

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

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

26. Flow Diversion Project: Update

Mrs. Zadell reported the project is on time and the pipeline operations are continuing along Garfield Avenue between S. Broad St. and West Point Pike with traffic being detoured onto Park Rd. The contractor is continuing with confirming locations and depths of public utilities.

She announced that Phase 3 of the project is coming soon. In March, the contractor will be crossing over West Point Pike into the Moyer Blvd. area. Residents in the area have been notified and there is a resident meeting on Tuesday, March 3, 2020 at 6:30 pm to explain the project to residents that live along the affected route. The contractor will be working in this area from 7 am – 5 pm. Moyer Blvd. will be one lane during construction.

Other Business

27. Motion to approve the payments of January 2020 Open Invoices via roll call vote

Mrs. Hull noted that the Board received a copy of the Open Invoices with the agenda packet.

Hearing no public questions, upon motion by Mrs. Damsker, seconded by Mrs. Carter, the bills were approved.

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

28. Motion to approve the payments of January 2020 Paid Invoices via roll call vote

Mrs. Hull noted that the Board received a copy of the Paid Invoices with the agenda packet.

Hearing no public questions or comments, upon motion by Mrs. Damsker seconded by Mrs. Simelaro, the Board unanimously approved the pre-paid invoices.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

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

29. Call for Adjournment

Ms. Gallagher announced the Board will be going into Executive Session to discuss matters of litigation and potential litigation.

The February 24, 2020 meeting of the Board of Commissioners was adjourned at 7:43pm.

Respectfully Submitted,

Sandra Brookley Zadell

Sandra Brookley Zadell
Secretary

/djl

Approved April 6, 2020