

# UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

## PUBLIC MEETING MINUTES

June 8, 2020

This meeting was held virtually and in person 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 in person or call in and ask questions.

### 1. Call to order

The June 8, 2020, 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 is being recorded and visually taped.

### 2. Pledge of Allegiance

Mrs. McNaney led the Pledge of Allegiance

Mrs. McNaney asked Mrs. Carter to say a few words. Mrs. Carter read the following statement that was signed by all the Commissioners.

*The country was horrified by the totally senseless death of George Floyd at the hands of the police in Minneapolis, Minnesota and now the message of Joe Gale, Montgomery County Commissioner has stirred up even more anger and division throughout our community. Gale's statements and the assassination of Mr. Floyd are the prescription that has been written by the doctors of racism and prejudice for generations. Upper Gwynedd Township does not share his beliefs. We will take the necessary steps to make sure we secure change and equity in our community and dispel racism wherever and whenever we see or hear it.*

*With the barrage of news media coverage, we must not lose sight of the real issues, justice and change. We cannot possibly work to fix this problem without everyone at the table. We have already begun to work on projects to bring our community together peacefully and are looking for more ways to commit to anti-racism. This problem will not change overnight or over the next month, but if we start a real, courageous conversation, to face the realities of the racial tension, we can make a step in the right direction.*

*We will make mistakes as we try to work on the issues that have separated us, but we have to communicate even when it hurts. As Will Smith, said, "Racism is not new, it's just being filmed". When we know better, we have to do better. We are about change. We can't be silent. We must rise to meet this moment. It's not enough just "to not be racist", we have to be anti-racist in order to dismantle these institutionalized racist concepts. Now is the time to make a commitment and pledge to break down the system of racism and oppression.*

*We are thankful for the public servants, the essential workers who are committed to protecting and caring for the public professionally. In Upper Gwynedd, we know that protests are the language of the unheard, and we want to thank the citizens who have participated in so many peaceful protests. We want Upper Gwynedd citizens to know that we are listening, and we will continue to build bridges of equality that will bring us together, not separate us. We will always work to unify our communities and work on enduring change. Recently, former President Obama spoke about change and hope. He said we must look to each other, listen to our young people, and work with our older citizens for change to happen. It will take all of us working with each other to combat injustice everywhere. We must be ever resolute in making the changes now, we must use this spark to work with each other on changing the broken system; not just fixing it.*

*Please stay tuned over the coming months as we work on programming to bring community conversations to UGT.*

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Mrs. Carter called for an eight minute, forty-six second moment of silence to honor George Floyd. Mr. Floyd died on May 25, 2020.

### 3. Roll Call

Roll call was taken by Sandra Zadell, 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
Russell Benner	Township Engineer
David W. Duffy	Chief of Police
David Brill	Finance Director
E. Van Rieker	Zoning Officer
Sarah Prebis	Parks & Rec Director

### 4. Announcement of Executive Sessions

Ms. Gallagher said the Board of Commissioners met in Executive Session on June 4, 2020 to discuss matters of personnel.

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

Aroline Hanson, 652 Jones Avenue said she is commenting on item 13 and is asking that the Township Solicitor be present at the ZHB meeting because of her concern for ZHB 20-03 (Cardinal Hollow Winery) to represent the residents. She said she received an email from the applicant that she felt was somewhat aggressive.

There were no further comments from the public.

## Departmental Reports

### 6. Manager's Report by Sandra Brookley Zadell

As reported by Sandra Zadell, Township Manager

Mrs. Zadell said her focus with this report is what the staff has been doing during the pandemic.

Parks & Recreation: The accomplishments include the completion of the Center Street Path Improvements, tree maintenance work on our Township open space and parks, numerous virtual programming (egg hunt, crafts, exercise classes, webinars) and the creation of a Food Pantry. The virtual programming increased views on their Facebook page by 31%.

Police Department: The accomplishments include Facebook live events with station tours and a live DARE lesson. There have been many drive-by birthday parties with by the Police and UG Fire Departments and a visit from the Bunny through Township neighborhoods.

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Public Works prepared the Gwynedeer neighborhood for the road paving program including replacing 15 inlets. Numerous potholes were patched, and signs were repaired throughout the Township. Traffic signals were repaired at Broad & Garfield, Beaver & Walnut as well as Allentown & Oxford. All fleet vehicle maintenance focused on sanitation.

Further accomplishments include the approval of a demolition permit for the old Giant property as well as construction approvals to begin at the site. The staff focused on social media regarding the 2020 census and as a result, the UGT response rate for the census is almost 76% beating our 2010 response rate. There has also been an increase in social media posts to keep our residents informed. The conversion to our new finance software continues with the addition of a new look for our sewer billing. Grants totaling \$113,000 were received for feasibility studies on the Power Line and Liberty Bell Trails. We are now participating in the BioBot study at the WWTP and we are near 50% completion on the WIP sewer diversion project despite major disruptions to the staffing at the plant.

### 7. Planning and Zoning Report (E. Van Rieker)

As reported by Van Rieker, Zoning Officer

- ZHB #19-05 – Provco Remand - Started 6/25/19:  
The ZHB accepted the Attorney's Stipulation Agreement and remanded it to Montgomery County Court
- 229 Morris Road – Preliminary/Final 2 lot subdivision  
The Planning Commission recommended approval. There may be probable action by the Board of Commissioners on July 13, 2020
- ZHB 20-1 – Gwynedd Park – variance to permit permanent community sign  
Testimony was completed on May 26, 2020 and a decision is to be rendered on June 9, 2020

Mr. Rieker reminded everyone that there is a special ZHB meeting on June 9, 2020 at 7:00 pm

- ZHB 20-2 – Smith, 876 Clover Dr. – Variance to permit in law suite  
This was scheduled to be heard at the June 9, 2020 meeting, but the applicant has requested this be removed from the agenda.
- ZHB 20-3 – Cardinal winery request to amend conditions of ZHB 2016 decision and to allow a "Tiki Bar/Smokers Lounge" and to allow for related off-site parking  
This is scheduled to be heard on June 9, 2020. Mr. Rieker suggested the Township Solicitor attend the ZHB meeting on behalf of the Township.

Mr. Rieker mentioned that Cardinal Hollow and other similar businesses were given permission to operate temporary outside dining as a result of Resolution 17-2020.

- Roosevelt Court – 9-lot Subdivision, requires Zoning Map Amendment from R-2 to R-3.  
The Planning Commission recommended approval of the Map Amendment. The text amendment to allow conditional use was also submitted. This is on tonight's agenda for approval to advertise the Ordinance for a map and text amendment.
- 645 Jones Ave. – 3-unit land development.  
This is scheduled for the Planning Commission on June 10, 2020. Additional information was submitted for consideration.

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- 1931 S. Broad St Consolidation Plan

This is for multiple tax parcels to be consolidated into one, but it has been removed from the Planning Commission's agenda for Wednesday. It will be considered by the Board of Commissioner on July 13, 2020.

- ZHB 20-4 – WB Homes – variance request to develop Jeppy Property, Sumneytown Pike for 24 apartment units.

The applicant (WB Homes) has asked for multiple layers of relief, but no hearing date has been set. They will meet with the neighbors for a community meeting to discuss the project. Mrs. Hull added the soonest this applicant will meet before the ZHB will be in September. Neighbors will be notified.

### 8. Engineering Report (Russ Benner)

As reported by Russ Benner, Township Engineer

- Sumneytown Pike Bridge Project

Mr. Benner said the contractor is continuing to work on this project and are currently working on the scour on the underside of the bridge. Some of the scour has increased since the bridge was inspected, and they recommended a different method of repair which will be completed at no additional cost and will be a more effective method of repair. The work on the underside should be completed this week and the entire project completed by month's end.

- 2020 Roads Program

The contractor has submitted the ADA ramp designs. There will be a pre-construction meeting on June 22 and work will begin in early July. All road work should be completed by mid-August.

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

#### 9. Motion to approve the Department Reports filed by Township Staff.

[Parks & Rec](#)

[Public Works](#)

[Police](#)

[Zoning](#)

[Code Report](#)

[Eng. – EEMA](#)

[Eng. – T&M](#)

[UGFD](#)

[NPFD](#)

Mrs. McNaney thanked Sarah Prebis for getting the camp staff ready to go for the green phase. She also thanked Chief Duffy for including the feedback in his department report to increase communication with the residents. She also commented the Fire Department was still able to complete some training during this pandemic.

Hearing no public questions or comments, upon motion by Mrs. Damsker seconded by Mrs. Hull, the motion to approve the department reports was approved with four votes as Mrs. Carter lost connectivity and was unable to vote.

## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

10. Motion to approve the Minutes of the Public Meeting held virtually on May 18, 2020

Hearing no public questions or comments, upon motion by Mrs. Hull, seconded by Mrs. Damsker, the motion to approve the Minutes of May 18, 2020 was approved with four votes as Mrs. Carter lost connectivity and was unable to vote.

11. Motion to approve the advertisement of Ordinance 2020-02 for the formation of an Environmental Advisory Council (EAC)

Mrs. McNaney said the formation of an Environmental Advisory Council is something we have discussed at length for the past two and a half years.

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

12. Presentation by John Ferro of Wissahickon Trails, formerly the Wissahickon Valley Watershed Association (WVWA)

As presented by John Ferro, Conservation Director at Wissahickon Trails and Brett Long, Engineer for Biohabitats, Inc.

Mr. Ferro said the Wissahickon Trails is a non-profit organization that was founded in 1957 to protect land and water. They take care of 12 nature preserves and 24 miles of trails. Mr. Ferro said their current endeavor, the Headwaters Project is a streambank restoration project. Many groups are participating and supporting this project including Upper Gwynedd Township, Merck, PECO, Temple University and others.

Mr. Ferro explained the project begins at Merck and goes downstream at the start of the Green Ribbon Trail. The goals of the project are to provide a stable stream, reduce sedimentation, reconnect the stream with the flood plain, and improve the hydraulic capacity of the floodplain.

Mr. Long said the more impervious cover, the less water infiltration. Water that is not connected to a flood plain can cause erosion. This project will slow down the energy of the flow and provide for habitat and settle the sediment that is carried from upstream. Mr. Long went on to say they are building riffle grade control structures, improving channel alignment, reducing the bank slope, adding native riparian and wetland plantings. Mr. Long showed a map of the new plan showing the improved channel with flood plain depressions for water infiltration and supported vegetation. He said much of this project is on PECO property and mentioned that Merck has provided construction access on their property to the stream. Landscaping will include a variety of select native species.

Mr. Ferro added the project will begin mid-July. He said you can follow the project on their website at [www.wissahickontrails.org](http://www.wissahickontrails.org).

Mrs. McNaney asked how long the project will take. Mr. Ferro said completion is expected by November 2020. Mrs. McNaney asked if the bridge and Green Ribbon Trail will be affected by the project? Mr. Ferro said both should be open during construction.

Nancy Bednarik of Merck asked if there is an agreement with PECO that should any repairs need to be done, the streambed be put back together. Mr. Ferro said the project was designed so PECO will have access to all their poles so minimal disturbance will occur during repairs. Mrs. Bednarik also asked if grant funding was in place to which Mr. Ferro replied all grants have been secured.

Mrs. Hull thanked Mr. Ferro and Mr. Long for their presentation and work on this project.



## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

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

13. Motion to authorize Lauren Gallagher, Township Solicitor to attend the ZHB meeting on June 9, 2020 on behalf of the Township for ZHB 20-3, Cardinal Hollow Winery

Mrs. Hull said Cardinal Hollow Winery has asked to expand their business to further utilize the porch area, increasing the number of patrons, extending their hours until 11 pm with additional parking on Jones Avenue.

She has some concerns regarding the residents on Jones Avenue and the extended hours increasing traffic on Jones late at night. She was approached by many of the Jones Avenue residents regarding these expansions. The residents said Cardinal Hollow did not address their concerns. Mrs. Hull recommended we send the solicitor to the ZHB meeting on June 9, 2020 on behalf of the Township.

Mrs. McNaney said she also has concerns about sidewalks and lighting and would like the solicitor to attend the meeting to address the concerns of the Commissioners and the residents. Mrs. Damsker encouraged the residents of Jones Avenue to attend the ZHB meeting and express their concerns at the meeting. Mrs. Simelaro said there needs to be more information from Cardinal Hollow and has concerns over the inconsistency of the sidewalks and lighting in the area. Mrs. Carter said she lives in the neighborhood and shares the concerns of her fellow Commissioners regarding sidewalks and lighting.

Mrs. Hanson thanked the Commissioners for allowing the solicitor to attend the ZHB meeting. Ms. Gallagher clarified that the Board is directing her to oppose the ZHB application by Cardinal Hollow Winery.

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

14. [Motion to approve the advertisement for a Public Hearing on Ordinance 2020-03, Roosevelt Court Map & Text Amendment to be held on Monday, July 13, 2020](#)

Mrs. Hull stated this is a land development project that Better Living Homes is proposing. This is to approve the advertising of the Ordinance. The hearing will be held on July 13, 2020.

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

15. [Motion to authorize the advertisement of Ordinance 2020-01 Amending Chapter 168 "Subdivision and Land Development"](#)

Ms. Gallagher said we reviewed the Sub-division and Land Development Ordinance (SALDO) of the Township and updated Chapter 168. This update includes and clarifies the creation of a minor land development option process.

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

16. [Motion to ratify Resolution 17-2020: Outdoor sales of food and merchandise.](#)

Mrs. Hull said we are currently in the yellow phase of the COVID-19 reopening status. Ms. Gallagher said this is an effort to come up with a temporary administrative process for businesses to use to allow for the sales of food and merchandise. This resolution expires in 90 days.

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

## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

17. [Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on Gate 3 Pipe Rack Project; Sundays in July & August 2020](#)

Mrs. Hull said Merck is working on the next 5 projects and require waivers to work on Sundays on an as needed basis. Noise should not be a factor with any of these projects.

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 Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on West Point Building 16 Renovation Project; Sundays in July 2020](#)

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

19. [Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on B38 Manufacturing Building Project; Sundays in July, August and September 2020](#)

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

20. [Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on B17 2<sup>nd</sup> Floor Compliance Project; Sunday June 21, 2020](#)

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

21. [Motion to approve the Merck & Co. waiver request from Chapter 113-1 & 124-5 for afterhours crane work on West Point Building 81 Renovation Project; Sundays in July 2020](#)

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**

22. [Motion to ratify the Emergency Declaration dated May 26, 2020](#)

Mrs. Carter said the following Emergency Declarations are regarding the COVID-19 pandemic to act as necessary to meet the demands of this emergency without regard to the normal procedures and formalities prescribed by law.

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

23. [Motion to ratify the Emergency Declaration dated June 1, 2020](#)

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

24. [Motion to approve the Emergency Declaration dated June 8, 2020](#)

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

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

25. Parks and Recreation: Discussions

Mrs. Damsker introduced Sarah Prebis, Parks & Recreation Director to give the following updates.

- Carnival – Mrs. Prebis said the carnival is scheduled for September 10-13 and the only way this can be held is if we are in the phase out portion of the reopening. Ms. Gallagher said we can hold a special meeting to decide the carnival at a later date, so we don't have to make a decision tonight. Mrs. Prebis said the dates are already contracted and can't be moved. Mrs. Zadell suggested the Board make a decision tonight on the parameters of how the carnival can take place. She said there are a lot of people/vendors involved in this event. Mrs. Prebis said planning needs to begin by June 19. The Commissioners said if we are in green by June 19<sup>th</sup>, then the Carnival can proceed. Mrs. Simelaro asked if there is any cost involved in cancelling the event. Mrs. Prebis said there will be no cost associated with cancelling.
- Camp – Mrs. Prebis said she recommends we proceed with Camps once we are in the Green Phase in compliance with CDC and DOH guidelines. Mrs. McNaney said the Township is so lucky to have you and Ms. Capozzi here and looking out for the children with all the efforts in following these guidelines and moving forward with camp
- Golf Outing Announcement – The new date for the golf outing is Monday, October 19 at Cedarbrook Country Club

Mrs. Prebis said she recommends that pickleball and tennis open in the yellow phase with precautions (single play only). Mrs. Hull said it is important that we open up slowly and is in support of opening the courts. Mrs. Simelaro also agrees. Mrs. Damsker said signage will be in place. Mrs. Carter said as long as we take the necessary precautions, that it is important we begin to open up. Mrs. Hull recommended we place signage around the basketball courts and playground stating they are not open. She also recommended the pavilion be open using social distancing policies. Mrs. Carter disagreed with opening the pavilion. She recommended we take it slow and not open the pavilion at this time. Mrs. Prebis suggested removing some of the tables in the pavilion. Mrs. Carter said we should wait on opening the pavilion. Mrs. Prebis suggested we discuss this again in a couple of weeks. Mrs. Prebis said concerts and movie nights will begin in mid-August following the social distancing protocols.



## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

26. [Motion to approve the 2020 Summer Camps following all CDC and DOH guidelines](#)

The Commissioners agreed to host the 2020 Summer Camps and no motion to approve was needed.

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

27. [Motion to approve the revised CIPP Project in the amount of \\$69,000, increase of \\$10,000.](#)

Mrs. Simelaro noted that additional work was needed on the piping at an extra cost of \$10,000. There is no impact on the budget.

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

28. [Motion to approve payment #7 to PACT One Construction for the Pump Station & Force Main Project in the amount of \\$1,552,943.03 \(via roll call vote\)](#)

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

\*We are unable to determine who seconded the motion. The Board of Commissioners will be reconsidering this item at the next public meeting.

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

### **Other Business**

29. [Motion to approve the May 2020 Open Invoices \(via roll call vote\)](#)

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

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

## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

30. Motion to approve the May 2020 Paid Invoices (via roll call vote)

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

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

31. Call for Adjournment

Chief Duffy said it is important that people understand what we are doing, so he asked residents to please check out our social media and website and to ask questions.

Mrs. McNaney announced we will be forming a human relations committee and are excited to get that started as soon as possible.

Mrs. McNaney adjourned the meeting at 9:26 pm.



Respectfully Submitted,

Sandra Brookley Zadell  
Secretary

**Approved July 13, 2020**

/djl

UPPER GWYNEDD TOWNSHIP  
**BOARD OF COMMISSIONERS**

BOX 1, WEST POINT, MONTGOMERY COUNTY, PA 19486

PHONE 215-699-7777

FAX 215-699-8846

The country was horrified by the totally senseless death of George Floyd at the hands of the police in Minneapolis, Minnesota and now the message of Joe Gale, Montgomery County Commissioner has stirred up even more anger and division throughout our community. Gale's statements and the assassination of Mr. Floyd are the prescription that has been written by the doctors of racism and prejudice for generations. Upper Gwynedd Township does not share his beliefs. We will take the necessary steps to make sure we secure change and equity in our community and dispel racism wherever and whenever we see or hear it.

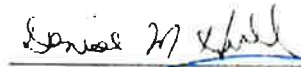
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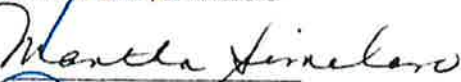
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Please stay tuned over the coming months as we work on programming to bring community conversations to UGT.

  
Liz McNaney, President

  
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Katherine Carter, Commissioner

  
Marth Simularo, Commissioner

  
Ruth Damsker, Commissioner

