

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING MINUTES

September 29, 2020

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 September 29, 2020, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Liz K. McNaney at 7:11 PM. This meeting began late due to technical difficulties. This meeting is being 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
E. Van Rieker	Zoning Officer

David Brill, Finance Director was not in attendance

4. Recognition

Mrs. McNaney said this is a special recognition for two (2) of our police officers.

Raymond Royds and Officer Minjoo Kim were recognized for heroism and bravery during a shooting incident on August 23, 2020. They were presented citations from Senator Maria Collette, Congresswoman Madeleine Dean, and State Representative Liz Hanbidge.

Mrs. Carter introduced Senator Maria Collett. She presented the certificates to Sgt. Raymond Royds and Officer Minjoo Kim commending them for their heroism, bravery and excellence displayed on August 23rd. The citation was displayed online to the public. Senator Collett thanked the officers for their willingness to put their lives on the line every day for public safety. She added she is impressed by the professionalism and training displayed by the Upper Gwynedd Police Department and its officers. Senator Collett also thanked both officers on behalf of Representative Liz Hanbidge who was unable to attend the meeting.

Mrs. McNaney thanked Senator Collett for joining us this evening.

Mrs. Carter also said Madeleine Dean submitted a Special Congressional Recognition to Sgt. Royds and Officer Kim which was also displayed online to the public.

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Mrs. Carter congratulated both officers.

Sgt. Royds, Officer Kim and the entire UGT Police Department were also recognized by the Board of Commissioners.

- 4A. Motion to approve the Proclamation recognizing Sgt. Raymond Royds and Officer Minjoo Kim and the entire Upper Gwynedd Police Department

Mrs. Carter read the proclamation for the officers and the Police Department.

PROCLAMATION RECOGNIZING SERGEANT RAYMOND ROYDS, JR. & OFFICER MINJOO KIM AND THE ENTIRE UPPER GWYNEDD POLICE DEPARTMENT

WHEREAS on August 23, 2020 Upper Gwynedd Police SERGEANT RAYMOND ROYDS JR. and OFFICER MINJOO KIM responded to a report of a suspicious person in a residential neighborhood within the Township. SERGEANT ROYDS AND OFFICER KIM demonstrated heroism and bravery as they pursued this individual who was a threat to the safety of our residents and to SERGEANT ROYDS AND OFFICER KIM; and

WHEREAS the individual was apprehended by SERGEANT ROYDS AND OFFICER KIM with assistances from a large Police response from departments across Montgomery County without incident. Numerous Upper Gwynedd off duty police officers, detectives and command staff also responded to the scene and conducted a thorough investigation to ensure the safety of residents and the community; and

WHEREAS all Upper Gwynedd police personnel answer the call to serve and protect our community and embody the courage and honor that represent the best of Upper Gwynedd Township. The Upper Gwynedd Police Department commitment to continued training, skill enhancement and interagency coordination make them vital members of our community. They work tirelessly to protect us and sacrifice so much to maintain and defend civil order within Upper Gwynedd Township; and

WHEREAS the brave men and women of the Upper Gwynedd Township Police Department have answered the call to serve and protect our community by effectively maintaining the confidence, trust, and respect for our community with Dedication, Integrity, Fairness and Courage; and

WHEREAS the Upper Gwynedd Board of Commissioners want to express our sincere appreciation to SERGEANT RAYMOND ROYDS JR., OFFICER MINJOO KIM and to all the hard working, brave, professional members of our police department; and

NOW, THEREFORE BE IT PROCLAIMED that the Upper Gwynedd Board of Commissioners does hereby endorse this Proclamation as recognition and thanks to the entire Upper Gwynedd Police Department who put themselves in harm's way to keep the Upper Gwynedd community safe.

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

Mrs. Hull gave a heartfelt thanks to the officers and police department for making us feel safe in Upper Gwynedd. Mrs. McNaney thanked Officers Royds and Kim for joining the meeting. She also thanked Chief Duffy for his leadership.

5. Announcement of Executive Sessions

Ms. Gallagher said the Board of Commissioners met in Executive Session on the following dates.

- Sept 17, 2020 to discuss matters of collective bargaining
- Sept 29, 2020 to discuss matters of collective bargaining, personnel, and litigation

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

There was no public comment

Mrs. McNaney suspended the Public Meeting and opened the first public hearing.

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7. [Public Hearing – Tesla Supercharger Station](#) – See 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 593 Dekalb Pike (Wawa #157), North Wales, Upper Gwynedd Township, Montgomery County, Pennsylvania. This application has been made by property owner, Wawa, Inc. for the purpose of constructing a charging station for electric vehicles, including charging posts and related equipment on the Property as required for the Tesla Supercharger Station at Wawa #157.

Brief explanation by Lauren Gallagher, Township Solicitor

Exhibits:

T1: [Application for Conditional Use](#)

T2: [Letter of Authorization](#)

T3: [Proof of Publication of Legal Advertisement – August 27 and September 2, 2020](#)

T4: [UGT Planning Commission Review Letter](#)

T5: [Verification of Posting Notice](#)

T6: [Plan Set](#)

T7: [Township Engineer Review Letter](#)

8. Request for public comment

There was no public comment

9. Motion to close the Public Hearing

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

- 9A. Motion to approve the Tesla Conditional Use Application

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mrs. Carter, the motion to approve the Tesla Conditional Use Application with conditions was unanimously approved.

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10. [Public Hearing – Better Living Homes, 111 State Street](#) – See Court Report

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The purpose of this hearing is to hear comment pursuant to a Conditional Use Application to permit a redevelopment subdivision in accordance with Ordinance 2020-03 and Ordinance 2020-05 on the subject property, which is located in the R-3 Residential Zoning District.

Brief explanation by Lauren Gallagher, Township Solicitor

Exhibits:

- T1: [Ordinances 2020-03 and 2020-05](#)
- T2: [Conditional Use Public Notice \(advertised September 15 & 22, 2020\)](#)
- T3: [Aerial Maps of Adjacent Properties notified of Hearing](#)
- T4: [Verification of Posting Notice](#)
- T5: [UGT Planning Commission Review Letter](#)
- T6: [Conditional Use Application](#)
- T7: [Plan Package](#)
- T8: [Township Engineer Review Letter](#)

The applicant submitted additional exhibits A1 – A9 which will be attached to the minutes / court report.

- 11. Request for public comment

See court report for public comment

- 12. Motion to close the Public Hearing

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

- 12A. Motion to approve the Better Living Homes, 111 State St. Conditional Use Application

Hearing no questions or comments, upon motion by Mrs. Hull, seconded by Mrs. Carter, the motion to approve the Conditional Use Application for 111 State St. with conditions and deferring the setback condition to land development was unanimously approved

Departmental Reports

- 13. [MMO Presentation \(Sandra Zadell\)](#)

As Reported by Sandra Zadell, Township Manager

The Minimum Municipal Obligation is calculated every two (2) years by our actuary. Our actuarial evaluation for the Police Pension is \$653,006. This represents a reduction of \$65,169 in our MMO due to the expiration of 2005 investment loss amortization.

The MMO for the non-uniform plan for 2021 is \$222,076 The total MMO for 2021 is \$875,082 with state funding of \$404,519. The remaining \$470, 563 will be funded from the general fund.

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The MMO will be discussed and approved at budget time.

- 13A. Motion to include the MMO documents in the minutes for September 29, 2020 and direct staff to finalize the MMO and have it included in the 2021 budget

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

Liz K. McNaney, PRESIDENT
Finance/Personnel/Administration

14. Announcement:

Mrs. McNaney announced the following budget work sessions. These special meetings will be held in person at the Township Administration Building in the Public Meeting Room. The public is invited to attend. We will practice all social distancing protocols.

- Tuesday October 13, 2020 at 5 pm
- Thursday October 22, 2020 at 6 pm
- Thursday October 29, 2020 at 7 pm (if needed)

15. Motion to approve the Minutes of the Public Meeting held virtually on August 10, 2020

Hearing no public questions or comments, upon motion by Mrs. Simelaro, seconded by Mrs. Carter, the motion to approve the August 10, 2020 minutes was unanimously approved.

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

16. [Motion to approve Resolution 27-2020, the amended final plans for the Enclave at Gwynwood Farms](#)

Mrs. Hull said this is a 4-lot subdivision that was approved by the Board of Commissioners on April 23, 2018. Lot One has been constructed. There was a discrepancy regarding who is responsible for the maintenance of the stormwater basins. When it was approved, the HOA was to maintain the stormwater management responsibilities, but the Resolution did not reflect that. This amended Resolution will now match what was approved by the BOC.

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

17. [Motion to accept Colorcon's Maintenance Bond signed and dated August 25, 2020](#)

Mrs. Hull said this is for the final escrow release for Colorcon's renovation at 420 Moyer Boulevard. Colorcon also submitted the maintenance bond of eighteen (18) months. T&M Associates recommended acceptance of the maintenance bond and approval of the final escrow release. The documents were reviewed by Township Solicitor Lauren Gallagher and found to be in order.

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

18. Motion to approve the final escrow release for Colorcon in the amount of \$435,041.75
(same link as above, #17)

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

Katherine D. Carter **Public Safety**

19. [Motion to ratify/approve the Emergency Declarations dated September 21 and September 28, 2020](#)

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

20. [Motion to approve Resolution 25-2020 proclaiming October 4 – 10, 2020 as Fire Prevention Week](#)

Mrs. Hull asked what the Fire Department is doing for Fire Prevention Week. Mrs. Zadell said they are participating in a video with area departments to be played in the schools. Further information will be posted on Township social media.

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**

21. [Motion to approve Payment #2 to Allan Myers for the 2020 Roads Program in the amount of \\$457,372.83](#)
(via roll call vote)

Mrs. Damsker said T&M Associates recommended payment to Allan Myers for the 2020 Roads Program.

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

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

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22. [Motion to approve the Hough Associates Recycling Agreement for 2020, 2021 and 2022.](#)

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

Martha A. Simelaro **Wastewater Treatment**

23. [Motion to authorize the advertisement of the 2021 Magnetite Bid \(used in the Bio Mag System\)](#)

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

24. [Motion to authorize the advertisement of the 2021 Dense Soda Ash Bid \(used to neutralize alkalinity\)](#)

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

25. [Motion to approve the sale of Radwell Equipment Parts on Municibid](#)

Mrs. Simelaro said this is for usable equipment to be sold on Municibid, an online bidding system. The equipment is no longer needed at the WWTP.

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

26. [Motion to deny the request by Blooming Glen for additional money for soil removal related to the WIP Project](#)

Mrs. Simelaro stated the quarry Blooming Glen uses refused to accept the removed fill because of an environmental issue. They submitted the fill to another quarry, but the price was much higher than Blooming Glen quoted in their bid documents. They submitted a request to UGT for additional money for soil removal. The contract documents were reviewed by our Solicitor. The contract is very specific in that the contractor who removes the fill is responsible for all aspects of its disposal.

Hearing no public questions or comments, upon motion by Mrs. Simelaro, seconded by Mrs. Damsker, the motion to deny Blooming Glen's request for additional money for soil removal was unanimously approved.

27. [Motion to approve Blooming Glen extension of hours to pour concrete for the clarifier floor; work starting at 5 am on day in October 2020 – date to be determined.](#)

Mrs. Simelaro said the concrete pour for the clarifier was previously approved for evening work. This is for an early start time.

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

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28. [Motion to authorize the bid for the Chemical Feed Systems at the Wastewater Treatment Plant to facilitate plant recovery and repairs from Tropical Storm Isaias.](#)

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

Other Business

29. [Motion to approve the August 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

30. [Motion to approve the August 2020 Paid Invoices](#) (via roll call vote)

Hearing no public questions or comments, upon motion by Mrs. Hull, seconded by Mrs. Simelaro, 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

Mrs. Hull announced the death of Samuel Miller. She said Sam was a longtime volunteer on the Planning Commission for 36 years and was Chairman for 32 years. She said Mr. Miller was an amazing man who gave so much to the Township. She said we are saddened by the news of his passing. On behalf of the Board of Commissioners and the staff of Upper Gwynedd Township she extended condolences to his family and friends.

Mrs. McNaney adjourned the meeting at 9:18 pm.

Respectfully Submitted,



Sandra Brookley Zadell
Secretary

Approved October 19, 2020

