

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING MINUTES

October 5, 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 October 5, 2020, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Liz K. McNaney at 7:00 PM. 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

4. Announcement of Executive Sessions

Ms. Gallagher said the Board of Commissioners met in Executive Session on October 5, 2020 to discuss matters of personnel.

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

There was no public comment.

Departmental Reports

6. Manager's Report (Sandra Zadell)

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As reported by Sandra Zadell, Township Manager

- WIP Update

PACT One has completed the force main installation in the Township. They are working on the Pump Stations and will start paving restorations the end of October, but it is weather permitting and may not be done until Spring. Mrs. Zadell said all roadways affected by the WIP project will be restored. She encouraged residents to check the Township website for updates on the project.

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

As reported by Van Rieker, Zoning Officer

- ZHB 20-07 – WB Homes – use variance request to develop Jeppy Property, Sumneytown Pike for 24 apartment units.
This is the only pending ZHB application and it has been continued indefinitely.
- 593 Dekalb Pike, Conditional Use Hearing, Tesla Charging Stations. Hearings held on 9/14 and continued 9/29.
This was adjudicated on September 29, 2020 and the Board of Commissioners recommended approval with certain conditions. The next step in the process is land development.
- State Street, Roosevelt Court Conditional Use Hearing, 9-lot subdivision.
There was a hearing held on September 29, 2020. The Board recommended approval with conditions. Subdivision/Land Development is the next step in the process.

8. Engineering Report (Isaac Kessler)

As reported by Isaac Kessler, Township Engineer

- Moyer Boulevard
The pipework is complete. Final pavement details are being determined and are weather permitting. Pavement work is anticipated to be done as soon as possible.
- Haines Run/WWTP
Staff is working with contractors for short-term improvements. Engineering is working on design for additional long-term flood protection for the WWTP that will address concerns for flooding events along the stretch of Haines Run and the WWTP.
- Stormwater Site Assessments
Mr. Kessler and Township staff are meeting with residents to address stormwater concerns and provide recommendations for possible remediation.

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Liz K. McNaney, PRESIDENT
Finance/Personnel/Administration

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

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

10. Motion to appoint Jon West, Heidi Lucas and Erica Antoine to the Environmental Advisory Council with Terms expiring December 31, 2022; and to appoint Joanne Walker and Barbara McHale to the Environmental Advisory Council with terms Expiring December 31, 2021 with Jon West serving as the Committee Chairman for the 2020 Calendar year.

Mrs. Hull said she and Mrs. Simelaro met all the applicants and interviewed candidates for the newly formed Environment Advisory Council (EAC). She said there was a large pool of applicants and thanked all that applied for the EAC. She provided some background information on each of the appointees.

Jon West is an environmental scientist who devotes his personal and professional time to environmental concerns. He has an extensive resume with advocacy for the environment. Mr. West will serve as chairman on the council.

Heidi Lucas has lived in UGT for the past thirty-nine (39) years and is active in the community advocating for natural resources and conservation. Ms. Lucas is an environmental educator.

Erica Antoine has lived in UGT for ten (10) year and is currently serving the Comprehensive Plan Committee and is a civil engineer and architectural engineer.

Joanne Walker has recently moved to UGT. She is a doctor and has experience in environmental law, working with non-profits and grant writing and is an adjunct professor at Temple University. She is currently teaching in the City and Regional Planning Community Development Program.

Barbara McHale has lived in UGT for over fifty (50) year and is currently serving on the Zoning Hearing Board. Mrs. McHale is a microbiologist who recently retired from Gwynedd Mercy University as an assistant to the President.

Mrs. Simelaro said all of the candidates were wonderful and diverse. She is excited to work with the new Council. She congratulated all of the appointees.

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

11. Motion to ratify the agreement with Page, Wolfberg & Wirth, LLC for policy review and related assistance as described in their client agreement.

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

12. Motion to approve Resolution 29-2020 declaring the Township's intent to reimburse itself from the proceeds of debt to be issued for the Wastewater Treatment Facility and System Capital Improvement Plan

David Nasatir, Pat Scott and Pauline Markey were in attendance from Obermayer Rebmann Maxwell & Hipple.

Mr. Nasatir said he is honored to serve as the Township's Finance Counsel. He introduced his colleagues, Pauline Markey and Pat Scott. He said Obermayer has a long history in doing public finance work with many

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townships, municipalities, counties, and the Commonwealth. He said this is an area of great strength for the company. Mr. Nasaitr went on to say the first step in the financing process is a reimbursement resolution.

Mr. Scott said there will be a future presentation from Financial Advisors, PFM regarding a potential financing project that will involve either a bond finance or a bank loan. At this time, we are not sure which way we are going with financing. One of the financing options is to refund about \$3M in outstanding bond debt and finance approximately \$7.5M for the WIP project. Much of the WIP project is complete and most of the cost has been incurred by the Township. The Township will want to reimburse itself for the cost associated with the WIP project. Mr. Scott added this current resolution is a preliminary Resolution for tax purposes. He pointed out a typographical error in section 4D of the resolution. The project will be less than \$10M, not \$12.5M as stated.

Ms. Markey said this resolution is for tax purposes. There is a requirement in the tax code saying if you want to reimburse expenditures, then you have to approve a resolution declaring our intent to use the proceeds from a bond or note to those expenditures. This focuses on what you can spend the money on. This resolution says we will do a note or bond that will not exceed \$10M per year. There is a special bank qualified tax-exempt benefit to the Township if we are below \$10M. If needed, we can do another bond/note for up to \$10M next year to continue the project. The resolution defines the project and defines the intent for the money. This resolution can reimburse sixty (60) days prior to this resolution being passed. Much of this resolution is defined by the tax code. Mr. Scott added this is a statement of the intention of the Board, it is not a commitment to finance the project. Once the financing has been further defined, it will be followed with a resolution or ordinance.

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Simelaro, the motion was unanimously approved with the change to section 4D

Mrs. McNaney thanked the team from Obermayer for their informative presentation.

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

13. Motion to approve the Stormwater Best Management Practices Operations and Maintenance Agreement for 887 Quinn Lane

This was submitted as a grading plan for a pool. It was reviewed by the Township Engineer who determined that a stormwater plan was needed. This agreement is for a stormwater maintenance agreement.

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 Agreement for Encroachment onto Emergency Access, Storm Sewer and Sanitary Sewer Easement for 1212 Patty Circle

Mrs. Hull said the next three (3) agreements are for the installation of fences. All three (3) encroach on a Township easement.

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

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15. Motion to approve the Agreement for Encroachment onto a Storm Sewer Drainage Easement for 929 Flintlock Drive

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

16. Motion to approve the Agreement for Encroachment onto a Storm Sewer Easement for 806 Keating Drive

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

17. Motion to approve Resolution 28-2020 appointing Rebecca Moodie as an alternate member of the Zoning Hearing Board.

Mrs. Hull explained, our former alternate ZHB member, Jack Ferguson joined as a full member in February. Rebecca Moodie will replace him as the alternate. Ms. Moodie is a project manager in the utility construction industry has experience with Zoning Hearing Boards. She moved to UGT a year ago.

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**

18. Motion to ratify/approve the Emergency Declaration dated October 5, 2020

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

19. Speed Limit on East Prospect (Hancock) – Presentation by Officer Pro

It was noted that the study is for East Prospect Avenue, not Hancock as was noted on the agenda.

Mrs. Carter introduced Officer Pro.

Officer Pro said we received a resident complaint regarding the speed on East Prospect between Hancock Rd. and 10th St. in North Wales Borough. He was assigned to do a traffic study. He explained the components of a traffic study: speed, sight distance and crash history. During this traffic study, Officer Pro said there were zero crashes related to speed looking back one and three years. He added there are no sight distance issues or special conditions such as curves or pedestrian traffic on the road and there are sidewalks along the UGT section of East Prospect.

He said over 12,000 vehicles traveling on the road were timed in a week. Traveling northbound, the average speed is 32.5 mph and is in the 85th percentile (which is the PennDOT benchmark for traffic studies). Ten percent (10%) of drivers are in violation. Traveling southbound, the average speed is 34 miles per hour with sixteen percent (16%) of drivers are in violation.

Officer Pro does not feel there is a speed problem on the road. He feels the problem lies in the speed limit and recommends it being increased by 5 mph to a speed limit of 30 mph.

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Mrs. Carter said she travels that road from the train station and the speed changes from 35 mph to 25 mph.

Chief Duffy said the Police Department is trying to be fair. This recommendation is based on fairness in how they patrol this area of road. He thanked officer Pro for the presentation.

Mrs. Zadell said if the BOC wants to make of change in the speed limit, we will have to prepare an Ordinance and put this on a future agenda.

Mrs. Hull would like the residents in the area notified of this proposed change prior to any changes being made.

Mrs. McNaney expressed concerned about possible confusion because the speed limit changes on the road and she would like to get additional feedback from residents. Mrs. Damsker said there needs to be some education about the possible change. Officer Pro said this will not affect how people will drive, just how the police enforce the speed on the road. Chief Duffy said we only received one (1) complaint from a resident regarding this issue. He said we can alter the protocol on how the Police Department enforces this road instead of dealing with the speed limit issue. He said as a department, we write more warnings than tickets.

Mrs. Zadell said we will send a letter to residents explaining the options and how to contact Officer Pro for more information. Mrs. McNaney said we can revisit this at a later date regarding the feedback we receive from residents. Mrs. Simelaro agreed that community outreach should be done prior to a decision being made. Chief Duffy said it is very difficult to deal with speed issues because Pennsylvania is the only state where radar use is illegal.

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

20. Motion to approve the purchase of a 1-ton Dump Truck with Plow and Chassis for the Parks and Recreation Department in the amount of \$106,321 – COSTARS contract #025206 & 348045 and the plow purchased through Cargo Trailer Sales

Mrs. Damsker said this is to replace the oldest truck in the Parks & Rec Department. Mrs. Carter clarified that this is two (2) different contracts. Mrs. Zadell said we are using two (2) different COSTARS vendors for truck with plow. The total amount of both contracts is \$106,321. Ms. Gallagher said this is just to approve the contract documents that can be done as one motion.

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

21. Motion to appoint Kathy Murphy to the Parks & Rec Advisory Board

Mrs. Damsker said she is delighted to have Kathy Murphy as a member of the Parks & Rec Advisory Board. Ms. Murphy was a medical publisher for forty-two (42) years and is a life guard coach and a diving coach.

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

Mrs. Damsker welcomed Ms. Murphy to the Parks & Rec Board and looks forward to working with her.

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22. Motion to approve the advertisement of the 2020/2021 Snow Plow & Equipment Bid

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

23. Motion to approve payment #11 to PACT One for the Pump Station & Force Main Project in the amount of \$294,147.55 (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:	President McNaney	Aye
	Vice President Hull	Aye
	Commissioner Simelaro	Aye
	Commissioner Carter	Aye
	Commissioner Damsker	Aye

24. Motion to approve payment #18 to Blooming Glen for the Hydraulic Expansion Project in the amount of \$51,030.31 (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 Simelaro	Aye
	Commissioner Carter	Aye
	Commissioner Damsker	Aye

25. Motion to approve payment #11 to Eastern Environmental Contractors for the Hydraulic Expansion Project in the amount of \$45,375.10 (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 Simelaro	Aye
	Commissioner Carter	Aye
	Commissioner Damsker	Aye

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26. Motion to approve payment #4 to BSI for the Pump Stations (Electrical) in the amount of \$156,393.00 (via roll call vote)

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

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

27. Motion to approve the bid for Swedesford & Britt Rds. Manhole Upgrades to KBC Construction in the amount of \$39,498

Mrs. Simelaro said this was included in the 2020 budget at \$50,000 and the bid price came in under budget.

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

Other Business

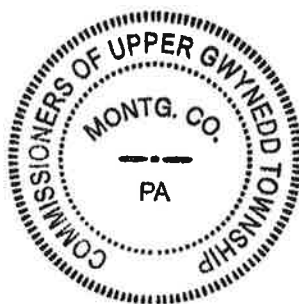
28. Call for Adjournment

Mrs. Hull announced that the 2020 Census has been extended to October 31, 2020.

Mrs. Simelaro said mail in ballots are being sent out beginning next week.

Mrs. McNaney said the Parks & Recreation event on October 16 will feature a haunted hayride and drive in movie.

Mrs. McNaney adjourned the meeting at 8:16 pm.



Respectfully Submitted,


Sandra Brookley Zadell
Secretary

Approved November 23, 2020

/djl