

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING WORK SESSION MINUTES

April 12, 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.

PLEASE NOTE: The Board of Commissioners made decisions on the following agenda items. Items 15, 16, 17, 18, 24, 25, 27, 31 and 35. The decisions are included in these minutes.

1. Call to order

The April 12, 2021, Public Work Session 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 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
E. Van Rieker	Zoning Officer

4. Announcement of Executive Sessions

Ms. Gallagher said the Board of Commissioners met in Executive Session on April 5, 2021 to discuss several items of personnel and potential litigation.

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

There were no public comments

6. Public Hearing – 467 Sumneytown Pike

Mrs. Zadell said the Conditional Use Hearing will be held on April 20, 2021

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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

- 7. Request for public comment
 - 8. Motion to close the Public Hearing
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Departmental Reports

- 9. Manager's Report (Sandra Zadell)
 - As Reported by Sandra Zadell, Township Manager
 - EAC Grant Application

Mrs. Zadell stated we are working with our engineer, RVE for a grant application to give potential grant funding for EAC activities such as the Rain Barrel Workshop on June 14th and other events.

- 10. 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. 17 townhouses are proposed.
This was approved by the ZHB on March 23, 2021. There was no opposition from the neighbors.
 - **180 Wissahickon Avenue** – Land development for use in the LI (Limited Industrial) District.
This was reviewed and approved by the Planning Commission on February 10, 2021. The Final Plan was approved by the BOC subject to conditions.

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- **ZHB 21-03 – Liberty Gas** – Variance to permit more than (1) canopy sign; total signage in excess of 40 sf; permission to place red/green LED price signs within 75 ft of a right of way and 200 ft of a signalized intersection.

This is scheduled for April 27, 2021. Mr. Rieker suggested having the solicitor attend the meeting for this signage request.

- **Shoppes at Upper Gwynedd** – Public Hearing to consider conditional use for multiple uses (a child daycare) in C-Commercial District.
The Conditional Use hearing is scheduled on April 20, 2021
- **ZHB 21-04 – 222 Hunter Rd.** - Variance to permit sunroom addition to extend into the required 50-foot front yard setback.
This is scheduled for April 27, 2021
- **ZHB 21-05 – 800 North Wales Road, Geissele Automatics** - Variance to permit reduction of required setback of 100 ft to 65 feet from a Residential District to permit the construction of a concrete slab. (Note: Building is non-conforming and exists 120 ft.).
Mr. Rieker suggested having the solicitor attend the meeting to hear this request.
- **Roosevelt Court, 9-lot subdivision along State Street.**
This is scheduled for the Planning Commission on April 14, 2021
- **2816 Morris Road, Worcester Twp. ZHB**, Special Exception request for a Group Home, 4 to 6 individuals in a Sober House. Neighbors across Morris Road around Blue Fox Drive will be notified by Worcester Twp. Mrs. Zadell said we can send our solicitor to the ZHB. We have not received any resident calls and Worcester only received one call from an Upper Gwynedd Township resident.
- **Amity Lane – variance to construct a deck, pergola in the rear yard**

11. Engineering Report (Isaac Kessler)

As Reported by Isaac Kessler, Township Engineer

- **2021 Road Program**
The contracts are being finalized and a pre-construction meeting will be held on April 13th. Curb ramp work will be done prior to milling and paving, and all work is to be completed no later than August 20, 2021.
- **North Wales Road Trail Crossing Improvements**
We are finalizing documents for resubmission to PennDOT, including our updated Traffic Signal Maintenance Agreement and a letter of support from Wissahickon Trails. PennDOT requested the letter from Wissahickon Trails as a corner of the sidewalk is on their property. This is anticipated to be resubmitted by the end of April with all comments satisfied.
- **Haines Run Streambank Improvements and Flood Mitigation**
This is the pursuit of a series of grants to offset costs for design and construction of rate control management during significant storms. The first grant being pursued is the DCNR grant due this month which addresses the study and design phase work, and the next grants will be in May that focus more on construction costs.

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Liz K. McNaney, PRESIDENT Finance/Personnel/Administration

12. Staff Department Reports

Parks & Rec	Public Works	Police	Zoning	Code Report
Eng. – EEMA	Eng. – RVE	UGFD	NPFD	

This will be placed on the consent agenda

13. Public Meeting Minutes of March 8, 2021

This will be placed on the consent agenda

14. Public Meeting Minutes of March 16, 2021

This will be placed on the consent agenda

15. **Decision** – Motion to appoint Robert Morse to the Industrial Development Authority for a term expiring December 31, 2021

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

16. **Decision** – Motion to approve Resolution 12-2021, maintaining permanent documents in PDF A format

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

Mark Connelly, 11 Kearney Drive, urged the Board to be cautious about what record series to include in this format. He stated that some municipalities have had some issues with hacking.

Mrs. Zadell said the series of records that we want to maintain in PDF A format permanently are records that are used infrequently and are currently stored offsite. She is relatively confident that the PDF A format will always be available. There is risk with any retention; with paper, documents can be lost or damaged due to flood, fire or bug infestation.

Ms. Gallagher reiterated that there are risks in whatever form you store documents and feels that electronic record storage has the least number of risks.

17. **Decision** – Motion to approve Resolution 13-2021, Pre-Treatment fees for 2020

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

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18. **Decision** – Motion to observe December 31, 2021 as the New Year's holiday

Mrs. Zadell said we failed to advertise this holiday because New Year's Day falls on a Saturday so our personnel manual states it should be observed on Friday.

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

19. Proclaiming May 1, 2021 as Arbor Day in Upper Gwynedd Township

Mrs. Zadell said this is our first Arbor Day celebration and we will be planting trees in conjunction with the EAC on Center Street on May 1, 2021 at 9 am.

20. Hiring of a Staff Accountant for the Finance Department

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

21. 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.

This will be added to the consent agenda

22. 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

Merck staff will be doing a presentation at next week's meeting.

23. Shoppes at Upper Gwynedd Escrow Release #5 in the amount of \$40,150.00

This will be added to the consent agenda

24. **Decision** – Motion to approve the following Fence Encroachment Agreements

Mrs. Zadell said a Fence Encroachment Agreement is an approval of a fence going over a Township easement. Residents can place the fence, but the Township must always have access to the easement.

- 811 Keating Drive

Hearing no public questions or comments, upon motion by Mrs. Damsker, and seconded by Mrs. Simelaro, the motion to approve the Fence Encroachment Agreement for 811 Keating Drive was unanimously approved

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- 387 Langberg Drive

Hearing no public questions or comments, upon motion by Mrs. Hull, and seconded by Mrs. Carter, the motion to approve the Fence Encroachment Agreement for 387 Langberg Drive was unanimously approved

- 167 Mendham Drive

Hearing no public questions or comments, upon motion by Mrs. Simelaro, and seconded by Mrs. Damsker, the motion to approve the Fence Encroachment Agreement for 167 Mendham Drive was unanimously approved

- 127 West Prospect Avenue

Hearing no public questions or comments, upon motion by Mrs. Hull, and seconded by Mrs. Carter, the motion to approve the Fence Encroachment Agreements for 127 West Prospect Avenue was unanimously approved

25. **Decision** – Motion to approve the following Stormwater Best Management Practices Operations and Maintenance Agreement

- 1039 Charter Oaks Drive

Hearing no public questions or comments, upon motion by Mrs. Damsker, and seconded by Mrs. Simelaro, the motion to approve the Stormwater Best Management Practices Operations and Maintenance Agreement for 1039 Charter Oaks Drive was unanimously approved.

This property needs the Stormwater Management because of the addition of impervious surface that surrounds the inground pool. The homeowner is responsible to maintain the stormwater facilities.

- 1131 S. Broad Street

Hearing no public questions or comments, upon motion by Mrs. Hull, and seconded by Mrs. Simelaro, the motion to approve the Stormwater Best Management Practices Operations and Maintenance Agreement for 1131 S. Broad Street was unanimously approved.

Katherine D. Carter Public Safety

26. Emergency Declarations dated March 22 and 29, April 5, 12 and 19, 2021

This will be added to the consent agenda

27. **Decision** – Motion to approve the K-9 Bricks fundraiser – discussion

Chief Duffy said we are looking to do a brick fundraiser to get the community involved. The announcement of the Canine Unit has gotten a great response from residents who want to help. The cost of the bricks is dependent on size, text, and graphics. Chief Duffy said this was discussed with the Upper Gwynedd Community Association. Mrs. Prebis suggested building a dog watering station with the bricks at Parkside Place. Chief Duffy added, this will help us to further engage with the community.

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28. Resolution 17-2021, accepting Charles Staub into the Deferred Retirement Option Program (DROP) program

Mr. Brill explained the DROP process. The officer asks the Board to be accepted into DROP by meeting the age and length of service requirements. Once they are in the DROP, their pension is frozen. Pension payments start and are paid into a separate trust in the Township's name. The officer is still an employee until they terminate employment and can only be in DROP status for four (4) years, after which employment ends. After employment ends, the trust money becomes the ownership of the officer and future payments are paid to the officer.

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

29. Recognition of Alex Chang for his hard work in building the Community Garden
30. Recognition of John Murray for his dedication to the Parks & Recreation Department since 1992
31. **Decision** – Motion to appoint Rosemary Rhodes to the Parks & Recreation Advisory Board

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

32. Advertisement of the bid for Equipment Rental and Labor for various stormwater projects
33. Skelly's Carnival Contract – 2021 – 2023

Mrs. Zadell stated a COVID clause was added to the contract, but we will have to make a decision at the May meeting whether or not to hold the Carnival in September.

34. Resolution 15-2021, Traffic Signal Maintenance Agreement with PennDOT

Mrs. Zadell said this is a consolidation of all of our signals under one maintenance agreement with PennDOT.

35. **Decision** – Motion to approve Resolution 16-2021, authorizing a grant application for the Haines Run Streambank Restoration

Mr. Kessler said this grant that we are pursuing is up to \$250,000. This is for study and design for the water that flows through Haines Run. It is for a matching grant and is the first of several grants for this project.

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

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Martha A. Simelaro Wastewater Treatment

36. Payment #17 to PACT One for the Pump Station & Force Main Project in the amount of \$200,396.82 (via roll call vote)

This will be moved to the consent agreement

37. Payment #9 to BSI for the Pump Stations Electrical Contract in the amount of \$22,800 (via roll call vote)

This will be moved to the consent agreement

38. Purchase of a 2021 Ford Ranger through COSTARS in the amount of \$30,633

39. Purchase of Clarifier Sounding Equipment through COSTARS in the amount of \$30,000

40. New project scope and cost for the Emergency Electrical Procurement at the WWTP

Mrs. Zadell said this requires a new resolution since the scope and cost of the project has changed. The design of the project has changed raising the price considerably, but it will be a more efficient and reliable system.

Other Business

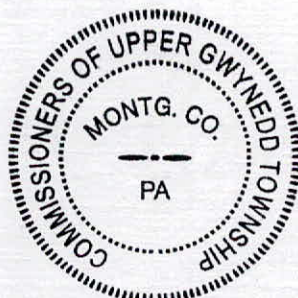
41. Approval of April 2021 Open Invoices

42. Approval of April 2021 Paid Invoices

43. Call for Adjournment

Mrs. Hull said today begins local government week. She recognized and thanked all those behind the scenes who keep things working smoothly.

Mrs. McNaney adjourned the meeting at 8:15 pm.



Respectfully Submitted,

Sandra Brookley Zadell
Secretary

Approved May 24, 2021

/djl