

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING WORK SESSION MINUTES

May 10, 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 26 and 28. The decisions are included in these minutes.

1. Call to order

The May 10, 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 May 10, 2021 to discuss matters of litigation, potential litigation and personnel.

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

There was no public comment

6. Recognition of Charles Staub for 25 years of service to the Township

Mrs. Zadell said we will recognize two employees for long time service at the business meeting.

7. Recognition of Howard 'Peanut' Quinn for 30 years of service to the Township

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8. Public Hearing – 467 Sumneytown Pike (to be continued on May 10, 2021) – **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 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 Condition Use – this packet includes all Township exhibits T1 – T12
- 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
- T6: Letter from Bernadette Kearney waiving the applicable MPC time frame
- T7: Fire Marshal review letter
- T8: Notice of Conditional Use Hearing
- T9: Copy of cover letter regarding the above notice
- T10: List and of property owners that were notified of this hearing
- T11: Map showing the conditional use property and the statutory distance around the property that received notices of the hearing
- T12: Ordinance 18-004 permitting multiple uses on a single property by conditional use

Applicant's Exhibits

- A1: Booklet with sub exhibits – 3 additional exhibits were added on May 10, 2021

9. Request for public comment

There was no public comment

10. Motion to close the Public Hearing

Mr. Garrity stated there will be a decision on the Conditional Use within 45 days.

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

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Departmental Reports

11. Financial Report (Dave Brill)

As reported by David Brill, Finance Director

- 1st quarter report

Mr. Brill stated the Township is in good financial shape. Business and tax revenue is stable and growing from last year. Revenue is forecasted at \$12.5M vs. \$11.8 M in budget. The improvement in revenue is driven by earned income tax with an increase of \$183,000. Employment and wage growth is better than last year, and the prediction is for an increase of \$5.8 M over last year. The forecast for the year is positive. Mr. Brill said revenue is down the first quarter, but this is due to timing items, and predicts the general fund to be better by \$500,000 by year end. He went on to say there are two (2) areas of concern in expenses as IT security is up \$44,000, but we have implemented many necessary changes to be protected by outside cyber threats. We may have to increase our IT budget for 2022. The police budget will be over by \$77,000 because of the new police contract.

12. 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 granted on March 23, 2021. The concept plan is scheduled for the Planning Commission on May 12, 2021
- **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 May 25, 2021
- **Shoppes at Upper Gwynedd** – Public Hearing to consider conditional use for multiple uses (a child daycare) in C-Commercial District. Continued to May 10, 2021
- **ZHB 21-04 – 222 Hunter Rd.** - Variance to permit sunroom addition to extend into the required 50-foot front yard setback. Heard on April 27, 2021.
This will be decided on May 25, 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.)
This is scheduled for May 25, 2021
- **Roosevelt Court, 9-lot subdivision along State Street.** Approved by the Planning Commission on April 14, 2021. Next will be an action item for the Board of Commissioners.
- **2816 Morris Road, Worcester Twp. ZHB,** Special Exception request for Group Home, 4 to 6 individuals in a Sober House. Neighbors across Morris Road around Blue Fox Drive will be notified by Worcester Twp.
The hearing was continued to June 7, 2021
- **593 Dekalb Pike, Tesla Charging Stations at Wawa Store # 157.**
The plan was resubmitted to comply with zoning setbacks and conditional use exhibits.

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- **ZHB 21-06 – 447 Amity Lane** – variance to permit deck and pergolas to extend nine feet into required 50 ft rear yard. Approved April 27, 2021
- **ZHB 21-07 - 1 Ivy Lane** – side yard variance

13. Engineering Report (Isaac Kessler)

As reported by Isaac Kessler, Township Engineer

- **2021 Road Program**

There is ongoing construction of ADA curb ramps on Moyer Blvd and then Broad Street before moving to the neighborhoods (Mendham Station and the Pines). The paving of Moyer and Broad to follow the completion of the ramp work. Updates will be posted on social media.

- **MS4 Program**

This year's annual reporting period concludes at the end of June with the report due to the DEP in September. We continue to work with staff to compile the supporting documents for the work we have done as a Township throughout the year and have a very positive outlook for projects to meet our permit requirements. We will have a presentation on the MS4 program before September

- **Haines Run Streambank Improvements and Flood Mitigation**

The grants we have identified this spring are intended to put us in position to move forward with this project in phases. The design work and hydraulic study of the stream will be completed as the initial phases, then moving towards construction of the flood mitigation and streambank stabilization work in the area adjacent and upstream of the WWTP. We will continue to work with all stakeholders involved with the proposed project area.

Liz K. McNaney, PRESIDENT
Finance/Personnel/Administration

14. 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.

15. Public Meeting Minutes of April 12, 2021

This will be placed on the consent agenda.

16. Public Meeting Minutes of April 20, 2021

This will be placed on the consent agenda.

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Please Note: President McNaney left the meeting at 9:15 pm due to an emergency.

17. Mission Statement (Discussion)

Mrs. Carter said we are looking to revamp the mission statement to be more inclusive and diverse. The UGFD recently revamped their mission statement and Fire Chief Geiger will discuss how they went through the process.

FC Geiger said the previous mission statement reflected a financial issue the department was having and didn't reflect the entire mission of the department. Several members volunteered to go through the process of updating the mission statement. The mission statement should be the "reason why" you do what you do. It should be impactful, clear and concise. His team reviewed the old statement and put together a new one which was adopted in January.

"The mission of the Upper Gwynedd Township Fire Department's dedicated professionals is to protect life and property for Upper Gwynedd Township and surrounding communities by fostering a progressive and responsible team providing fire and emergency services with a professionally trained, dedicated and compassionate volunteer workforce."

They also created a vision statement and values statement which was adopted in January as well.

Mrs. Simelaro suggested the mission statement be reviewed on a regular basis.

Mrs. Zadell asked how the Commissioners would like to proceed with our mission statement. Mrs. Carter would like to form a committee to review and brainstorm about the mission statement. Mrs. Zadell will email department heads and committee members to get volunteers to brainstorm about the mission statement and a smaller group to do the writing of the new statement. Mrs. Carter will be the lead on this project.

Amanda Hoade said the UGFD is a very open and diverse group and welcomes everyone into the department. Members do not have to live in Upper Gwynedd Township. Currently, 10 new members have joined the department this year.

18. Authorization of Lauren Gallagher, Township Solicitor to sign on behalf of the Township, the assessment appeal stipulation agreement between North Penn School District and Gwynedd Reality, LLC.
19. Authorization of Lauren Gallagher, Township Solicitor to sign on behalf of the Township, the assessment appeal stipulation agreement between North Penn School District and The Robert Nicoletti Family Trust.
20. Authorization of Lauren Gallagher, Township Solicitor to sign on behalf of the Township, the assessment appeal stipulation agreement between North Penn School District and Landmark Professional Realty, LLC

These will be moved to the consent agenda

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 perform crane lifts on WP50 Utility Rack and WP54 Chiller Addition. Sunday, June 6 through Sunday, August 29, 2021

This will be placed on the consent agenda.

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22. Resolution 20-2021, extending outdoor dining

Mrs. Zadell said the Governor will be lifting restrictions by May 31st. There was a discussion on whether to continue the outdoor dining and Mrs. Carter, Mrs. Simelaro and Mrs. Hull all agreed to continue as is.

23. Stormwater Best Management Practices Operations & Maintenance Agreement
- 974 Crest Road

24. Encroachment Agreement onto Sanitary Sewer Easement
- 754 Swedesford Road

- 24A. Encroachment Agreement on Stormwater Easement
- 168 Mendham Avenue
 - 608 Whittaker Place

23, 24 and 24A will be moved to the consent agenda.

Katherine D. Carter Public Safety

25. Emergency Declarations dated April 26, May 3, May 10, May 17, and May 24, 2021

This will be placed on the consent agenda.

Mrs. Zadell asked if we can discontinue doing the weekly emergency declarations. Ms. Gallagher will revise the emergency declaration, so it does not have to be approved weekly.

26. **Decision** – Motion to approve the Police Department Contract for years 2021, 2022, 2023 and 2024

Mrs. Zadell announced that several officers have joined the meeting. Mrs. Carter said we are very happy that we are able to settle the contract.

Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Simelaro, the motion was unanimously approved. Mrs. Damsker and Mrs. McNaney did not vote.

Please note, Commissioner Damsker is having technical difficulties and is currently not in the meeting room.

27. Recognition of Charles 'Chuck' Testa for 40 years of volunteer service to the UGFD

Ruth S. Damsker Public Works/Parks/Recreation

28. **Decision:** Motion to approve Resolution 21-2021, recognizing National Public Works Week May 16th – May 22nd

Mrs. Zadell read the Resolution that notes the importance of Public Works.

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Hearing no public questions or comments, upon motion by Mrs. Carter, seconded by Mrs. Simelaro, the motion was unanimously approved. Mrs. Damsker and Mrs. McNaney did not vote.

29. Ratification of the advertisement for the consortium bid for Heating Oil

The Township is now doing the bid for ten (10) other municipalities as part of a consortium.

30. Discussion on whether to host Township Carnival in September

Commissioner Carter said she thinks we should host the carnival. Mrs. Simelaro and Mrs. Hull agreed. Mrs. Zadell said Skelly's has a sanitation protocol worked out. Masks will be required. Mrs. Zadell announced the Carnival will be held September 9, 10, 11 and 12.

Mrs. Damsker was able to rejoin the meeting on her phone.

31. Golf Outing Contract with Cedarbrook Country Club for October 4, 2021

The golf outing was moved from June to October due to COVID.

32. Equipment Rental & Labor Bid Award for Stormwater Projects to Floyd G. Hersh, Inc.

33. Hiring of a Full Time Parks & Recreation Laborer

Background clearances are currently being performed for this candidate.

Martha A. Simelaro **Wastewater Treatment**

34. Payment #18 to PACT One for the Pump Station & Force Main Project in the amount of \$290,015.03 (via roll call vote)

This will be moved to the consent agreement

35. Purchase of 6 Panel View Plus Performance Modules in the amount of \$35,000 for the WWTP

36. Resolution 23-2021, Haines Run Flood Mitigation Grant

37. Resolution 24-2021, Haines Run Watershed Restoration Grant

Mr. Kessler said both of these Resolutions are for two (2) grant applications for the Haines Run Project. The applications are for DCED grants and are due by the end of May.

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Other Business

38. Approval of May 2021 Open Invoices (via roll call vote)
39. Approval of May 2021 Paid Invoices (via roll call vote)
40. Call for Adjournment

Mrs. Hull reminded everyone to check out the latest Township newsletter. She said UGT had their kindness day last week. Philadelphia's kindness day will be held on May 23rd in honor of Mr. Rogers who often used 143 as code for 'I love you' based on the number of letters in each word. May 23rd is the 143rd day of the year.

Mrs. Hull adjourned the meeting at 9:50 pm.



Respectfully Submitted,

Sandra Brookley Zadell
Secretary

Approved June 15, 2021

/djl