

# UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

## BOARD OF COMMISSIONERS BUSINESS MEETING MINUTES

August 22, 2023

This meeting was held in person at the Township and streamed on our website at [www.uppergwynedd.org](http://www.uppergwynedd.org)

### 1. Call to order

The August 22, 2023, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Denise M. Hull at 7:11 PM. Following some technical difficulty, the meeting was recorded and visually taped.

### 2. Pledge of Allegiance

The Pledge of Allegiance was led by Sergeant Raymond Royds.

### 3. Roll Call

Roll call was taken by Deanna Logan, Executive Assistant to the Township Manager. The individuals in attendance were:

Denise M. Hull	President
Katherine D. Carter	Vice President
Liz K. McNaney	Commissioner (via phone)
Martha A. Simelaro	Commissioner
Ruth S. Damsker	Commissioner
Sandra Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Lauren Gallagher	Township Solicitor
Isaac Kessler	Township Engineer
David Duffy	Chief of Police
Nathan Crittendon	Finance Director
E. Van Rieker	Zoning Officer

### 4. Announcement of Executive Sessions

Ms. Gallagher said the Board met in Executive Session prior to this meeting to discuss matters of personnel and potential litigation.

### 5. Recognition of Fred Lynch for 25 years of service to the Township (will attend)

Mrs. Carter said Officer Lynch is a long-time resident of Upper Gwynedd Township. A proud veteran of the United States Air Force, Fred Lynch began his career with Upper Gwynedd Township 25 years ago as a Patrol Officer. Fred is widely known for his community outreach and has served as a DARE instructor for many years. He is a certified member of the Motorcycle Unit, a Veterans' Response Team Officer, and the department's National Night Out Coordinator. Fred has successfully applied for several community policing related grants and has partnered with the State Police and many local departments and agencies on community relations programs. In 2019, Officer Lynch was assigned to the Detective Division as the department's first full time Crime Prevention Officer. We congratulate Officer Lynch on 25 years of service to the Township and look forward to many more!

Officer Lynch was presented a certificate from PA State Senator Tracy Pennycuik.

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### 6. Commendations by the Police Department: Scott Frame and Jediah Grobstein

Mr. Frame and Mr. Grobstein are from the Montgomery County District Attorney's Office. They were awarded the Meritorious Service Medal for handling the investigation, prosecution and ultimate conviction of all felony charges against the defendant in the attempted shooting of Sergeant Raymond Royds.

### 7. Sergeant Ray Royds Retirement from Police Department

Deputy Chief Ted Caiola said Raymond T. Royds, Jr. grew up in Northeast Philadelphia being raised by his mother and father. Ray's father served as a Detective Sergeant with the Philadelphia Police Department. Ray has two brothers, both of which are in the Criminal Justice field, and a sister. He is married to his wife Christine and has three children. Ray, Ryan, and Kate.

Ray earned a bachelor's degree in business management from Penn State in 1995. He worked in the finance industry until he was hired as a patrol officer in Upper Gwynedd Township on July 8, 2001. I was fortunate to be an invited guest at his Police Academy Graduation from the Allentown Police Academy.

Ray was assigned to the detective division in 2004 and has worked on numerous complex and serious cases that have resulted in many arrests and successful prosecutions. The list of these cases would keep me here all night. But here are a few that stand out. Homicide / Home invasion, Merck's Stolen Cyanide Case, Merck's Stolen 50 Laptops Case, Multiple Jurisdiction Investigation that he was the lead on of over 170 thefts from vehicles, Credit Card Cloning Ring, A knife wielding man on Broad Street, and the incident where he was shot at on August 23, 2020. Ray was a member of the County Drug Task Force and the FBI Violent Fugitive Task Force. Ray was also tasked as our department's J-Tac Officer.

Ray was promoted in July of 2019 to Sgt and returned to the street. He was able to return back inside for a brief stint as Detective Sgt before retiring.

Ray has attended numerous training courses including, but not limited to: Law Enforcement Executive Development Association, Montco Chiefs' Fundamentals of Supervision, Penn State's Police Supervisory Training, and several advanced crime scene and technical investigative classes.

Ray has received numerous commendations, he has earned 2 Medals of Valor, 3 Meritorious Service Medals and was the 2009 and 2020 Officer of the Year. He has also received Citations from both the House and Senate.

Sgt Ray Royds was committed and dedicated to his victims, community, and department. He was a consummate team player. With his invaluable skills and experience, he set the bar high for other officers to strive for. It is with great sadness that I and other officers from this department will not have the opportunity to work side by side with him as he has entered retirement. I along with all the other officers wish Ray all the best in his future endeavors. He has left huge shoes to fill. Godspeed my friend.

Sergeant Royds was presented a certificate from PA State Senator Tracy Pennycuik.

### 8. Public comments and concerns (limit of five minutes per individual)- this section is for any item other than items 9 and 10 on the agenda. Public Comment for items 9 and 10 will be taken during the hearings.

Carl Smith commented about the Board of Commissioners. He feels that the Board is not very transparent and has issues with how the Board handled the Martin Tract and the Walters Group.

Samuel Wampole made comments against the LGBTQ community.

Lisa Nancarvis commented about homeless veterans.

Glen Hatfield asked if everyone would get a chance to speak tonight, to which Mrs. Hull replied yes.

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Martin Benedetto is concerned about the trash and homeless people behind Jackson St. Mrs. Hull said our Fire Marshal and Police are working on the issue and we are trying to find a solution.

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### 9. Public Hearing – Ordinance 2023-02

The purpose of this hearing is to hear comment pursuant to the consideration of Ordinance 2023-02, amending various sections of the code of Upper Gwynedd Township at Chapter 195 – "Zoning," and adding new section 195-21.1 (TOD 2 Transit Oriented District 2 to create a new transit-oriented overlay district within one-half mile of the Pennbrook Train Station to accommodate residential development therein.

Ms. Gallagher said both hearings are the subject of an application from the Walters Group and will be conducted concurrently. She read the above purpose and then entered the following four exhibits into record.

#### Exhibits:

- T1: Ordinance 2023-02 – TOD 2 Text Amendment
- T2: Proof of Publication of Legal Advertisement – August 8 and August 15, 2023
- T3: UGT Planning Commission Review Letter
- T4: Montgomery County Planning Commission Review Letter

### 9a. Public Hearing Ordinance – 2023-03

The purpose of this hearing is to hear comment pursuant to the consideration of Ordinance 2023-02, amending the Zoning Map of Upper Gwynedd Township to provide TOD 2 Transit Oriented Overlay District Zoning over a tract of land comprised of two parcels located at 1500 Pennbrook Parkway.

Ms. Gallagher read the above purpose of the ordinance and entered the following six exhibits into record.

#### Exhibits:

- T1: Ordinance 2023-03 with Map
- T2: Proof of Publication of Legal Advertisement – August 8 and August 15, 2023
- T3: UGT Planning Commission Review Letter
- T4: Montgomery County Planning Commission Review Letter
- T5: Verification of Posting Notice
- T6: Notification of Hearing (500' radius)

Attorney for the Walters Group, Joe Clement introduced Kim Krauter and Joe Delduca of the Walters Group and said we are seeking an approval of a zoning ordinance that would allow for transit-oriented development in the Limited Industrial District in a very limited way. Mr. Clement said this is the preliminary stage of a lengthy process of land development that would include a conditional use hearing.

The limitations of the ordinance specify an area within one half mile of the Pennbrook Train Station on a tract of land between four and eight acres and a density of eleven dwelling units per acre. The Walters Group Project is 5.64 acres for 60 units. There are a mix of one, two and three bedroom units proposed, with five residential buildings and a clubhouse located at 1500 Pennbrook Parkway.

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Mr. Clement stressed that this is not Section 8 housing as this is not government subsidized. This is funded by LIHTC – low income housing tax credits. This program was put together by the Reagan administration as part of the Tax Reform Act of 1986, which currently has an annual budget of \$9 billion and is intended to serve “folks in the middle”.

Ms. Gallagher entered the Walters Group Presentation into record.

### Applicant's Exhibit 1

Ms. Krauter said the Walters Group has control of the entire project and through the life of development. They do the planning, construction and property management. This proposed site at 1500 Pennbrook Parkway is .4 miles from bus route 94 and .5 miles from Pennbrook Train Station. Ms. Krauter explained Section 8 (subsidized housing) in which a person in Section 8 housing pays 30% of what they make and the government pays the rest.

This proposed community is funded with dollars generated by federal tax credits that are sold to large banks who then fund projects. This community is estimated to cost \$20M to build and though the tax credits, they only need to finance a small mortgage. Ms. Krauter said there will be twenty-seven (27) one-bedroom units, twenty (20) two-bedroom units and thirteen (13) three-bedroom units with only four (4) apartments in the 20% category with incomes between \$18,000 and \$22,000. The income levels for the remaining fifty-six units are between approximately \$45,000 per year and \$67,000 per year. Projected monthly rents range between \$343 and \$1621 depending on your income level and number of bedrooms. She reiterated there is no subsidy, and the Walters Group only receives the rent income.

Ms. Krauter explained this community will blend in with the aesthetic of the neighborhood and will resemble townhomes. The plan includes a clubhouse and outdoor recreation space on the property. She also said we use sustainable practices to achieve gold or platinum status as a LEED (Leadership in Energy & Environmental Design) development. Each apartment has its own entrance and are individual units. Amenities include a clubhouse with community area, fitness center, and computer area. We use long-term sustainable products and features in the units. She said there are agencies (PA Housing Finance Agency and banks) that watch how the community is being managed and if it is not being managed properly, there are heavy penalties. Money is placed in a reserve account each month to cover things that need to be repaired, replaced or updated.

### 10. Request for public comment

Linda Smith said this is subsidized housing. She commented that this was a done deal by the Board from the beginning. She said we were told by Zoning Officer Van Rieker that this Ordinance only applies to 1500 Pennbrook Parkway, but she said under section 2C1 states a portion of a TOD-2 tract must be within half mile of an existing commuter rail station and/or support parking lot for such station and feels this section brings into play the North Wales rail station.

Viraf Jacob asked who does this amendment serve and commented about the political agenda saying we shouldn't try to solve issues that are not Upper Gwynedd's to solve. He made comments about the SEPTA system.

Glen Hatfield handed out a brief that was filed today. He said the Station Square development is not a good comparison because that was a Superfund site that needed to be cleaned up before it could be developed. He said there is currently not a homeless problem in the Township. He added that the apartments in the area are full so they must be affordable. He said this is spot zoning and commented that there will be more if this gets approved.

Michael Nessley is opposed to this zoning change. He is concerned about harm to this community and is concerned about the watersheds and density. He said there is nothing here to support the density of this development.

Rebecca Moodie said the Walters Group presentations have been thorough and she is in support of the development.

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Jonathan Kassa, lives in Montgomery Township. He spoke in favor of the Walters Group proposal of affordable housing.

William Jackson commented that everyone should be welcome in the community. He stated that this type of housing will help fill the types of jobs that we have vacancies. He said there are people in the community that are financially challenged, and he thought the project would create a stronger community.

Deborah Stone commended the Board and Planning Commission for responding to the affordable housing crisis in our area and said the project would help local businesses fill some of the entry level job vacancies.

Mark Connelly gave current rental and housing data regarding the increases in home prices and rents in the area. He said over half of the renters are paying more than 30% of their income for housing. He also cited several court cases where prior boards have excluded certain developments based on income levels.

Mr. Connelly submitted four exhibits and requested they be entered into record.

Connelly Exhibits 1 – 4

The Board of Commissioners took a brief recess.

David Schaffer commented about the opponents to the plan who have made it out to be a catastrophe. He said after careful research of the proposal, he is in favor of the Walters Group plan.

Theresa Price said this development which will be directly behind her house will affect the life we know.

Susan Baker Wendts is in support of the proposed community. She said affordable housing is a bi-partisan plan that began in 1986. She said people who live and work in our community will benefit from this development.

Denise Colletta worked for the Montgomery County Housing Agency and is in support of this project. She spoke about the increased costs of housing and said the people that would benefit from this development are the entry level teachers, police officers, service workers, health care providers, etc.

Jeffrey Fields spoke in support of the Walters Group Project and said it will keep our community vibrant. He said a recent study was done on LIHTC communities over a 20-year period that there is no indication of a decrease in property values but in fact an increase in value.

Yvonne Paci Ciquero commented about the democratic national agenda and is not in favor of the Walters Group Plan and said the Board was not elected to solve the problems of other communities.

Dominic Frascella lives in the area and said this would benefit him and would benefit the environment. He said the density should be higher to benefit the taxpayers more.

Bill Breish distributed a letter to the Board that about one hundred people in nearby communities signed in favor of the Walters Group proposal. He said over half of the renters in the Township are paying more than 30% of their income on housing, putting them at risk of a financial crisis.

Emma Hertz, president and CEO of HouseSpark Foundation which serves the greater good of North Penn area residents. She has seen increases in food insecurity and housing instability in the area. She spoke about how the policies and practices affect our quality of life. She supports this development.

Mike Hays is co-director of the Montco 30% project. He spoke about how zoning ordinances began in an effort to keep out lower income people and people of color. He is in favor of the proposed development.

Jane Pekol said the minimum wage in PA is \$7.25 per hour and won't be at \$15.00 per hour until 2026. She said affordable housing is part of a solution to a bigger problem.



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Bill England is the Coalition Director for the Here for Us Advocacy and is in favor of the Walters Group proposal. He said it is important for this community and for Montgomery County and will serve as an example for other communities.

Dominick Vastria spoke about how he had to leave Upper Gwynedd Township because his housing increased 16% and he could no longer afford it. He added that he would like to move back to the community in this development.

Pat Pino said the government is running unconstitutionally and that spot zoning is illegal, and the Board has been served notice.

Brooks Hall said we have to live in balance with nature. He would like to see redevelopment of areas of the Township – build up not out.

Mrs. Zadell read a comment by Kathleen Malfie a former resident who said she would love to move back to the community if there was affordable housing.

Linda Gallo said she doesn't want the "Philly and City" environment here. She wants to keep the community safe.

Kofi Osei said he is in support of this proposal. He said there is a need for affordable housing so those in the service industry can live where they work.

Patricia Ruffner said she has a vested interest in the community and the nonresidents that made comments do not.

Steven Sagrestano said he has had financial ups and downs through the years and has concerns about the change to the zoning and said it should be a ballot question.

Juliane Ramic said she has benefited from workforce housing in Washington DC on her non-profit salary. She is in support of this program to help people build assets.

Mrs. Zadell addressed the questions that were brought up.

- Do they have to have a job to live in the Walters Group Development?  
Ms. Krauter said they have to have some form of income in order to qualify.
- Do they need to be US citizens?  
Ms. Krauter said they need to have a green card or be a US citizen.
- Can you clarify the TOD 2 - Does this affect properties near the North Wales train station?  
Mr. Clement replied it does not affect those properties near the North Wales train station. The ordinance is specifically written so it applies to properties within one half mile Pennbrook Station.
- Was there any environmental impact study done for this project?  
Mr. Clement said there was a preliminary search on the PA Natural Diversity Inventory (PNDI) and found there were no initial hits on the site, but as part of project financing and land development then a more detailed study will be conducted.
- Will there be an on-site manager?  
Ms. Krauter replied yes, there will be a full time property manager on-site.
- What happens if they lose their job?  
Ms. Krauter said if they have no income, they can't stay long term but we would try to help them find other services.
- Who does this zoning Change benefit?  
Mr. Clement said it benefits the community as a whole by providing workforce housing.
- Ms. Gallagher added there was a question about whether this should be submitted to a referendum?  
She replied, under the First Class Township Code, only certain things are eligible for referendum, and this is not eligible as ordinances, particularly for zoning are excluded from a referendum on a ballot.

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Mrs. Simelaro asked about tax revenue. Mrs. Zadell said we can give an estimate based on similar projects in Montgomery County, but it is an estimate only. Ms. Krauter said similar properties have a tax revenue of approximately \$60,000 – \$70,000 per year. The current tax revenue is \$4,200 for the vacant property.

Mrs. Damsker said anytime you add homes, you add tax revenue that would financially benefit the community.

Mrs. McNaney said her vote is based on a lot of factors and she has done extensive research on these communities and received input from residents. She said her vote tonight will be based on fact.

Mrs. Hull read the following statement.

My son is a rising senior at North Penn High School and he's currently struggling to write the perfect college essay to get into all the schools of his dreams. One of his favorite ways to engage his readers is to start his

essays by defining a word. IE: "Websters Dictionary defines grit as . . ." and then he goes on to explain what grit means to him. And while I discourage him from doing that because it's no longer the cleverest & freshest way to begin a paper, I'm going to not follow my own advice and define a non-exciting word to introduce my thoughts this evening.

Listening. Merriam-Webster defines listening as: *to pay attention to sound, to hear something with thoughtful attention, and to give consideration.* As an elected official we are required to listen on the daily. To our constituents, our staff, our consultants, our contractors, our fellow commissioners, our society, our county, our state, and our world. And as a Board we work at listening the most effectively and non-judgmentally, so that we will be open minded and truly consider all the possibilities before we make a decision.

Therefore, when we were posed with this zoning decision, we began where we always begin, with listening. We listened to the developers and all the components of their plan, as it has continued to evolve, without getting into the details that are required to be reserved for land development. We listened to our staff and consultants who shared their expertise on a zoning change such as this. We listened to the County Planning Commission's evaluation as well as our own Planning Commission's decision. We listened to the former Township Commissioners, who I often refer to as the Founding Fathers of Upper Gwynedd because they served as Commissioners for so long and are responsible for most of the development in our township. We remembered that they first introduced the TOD zoning to our township and were very proud of the results. While they never mentioned the Superfund site that the first TOD was built upon, they were open to the possibility of extending it across the street to these two parcels.

And of course, we listened to our constituents and then some. Residents who live in the township and even those who live outside the township who are concerned with higher density housing, an increase in traffic, an increase in crime, a lowering of property values in our township, an increased burden on our schools and resources, and a fear that these would be Section 8 housing that would raise our taxes.

We then listened to the responses from the developers and staff. We learned that if this zoning change were to pass and this development was to be approved, that the density of these homes would be no denser than the housing development across the street in the first TOD of UGT and that the density would not be increased with this development. We learned from the traffic study that there wouldn't be a significant increase in traffic and that if these parcels were developed as a business in LI, there could be an increase in diesel trucks every day and since it's by-right there would be no need to request approval. We learned from our Chief of Police who reached out to the Chiefs of Police of five communities where similar developments exist, that these communities have experienced no issues and that the management company is engaged, and the properties are well regulated and that their experience with the Walters Group has been hands down the best and very positive.

We learned from the Walters Group that there will be criminal background checks and credit checks on every person who applies to live there. We also learned that the Walters Group keeps a registry of any visit made by the police to their developments and then checks those logs regularly. Also, they meet regularly with the local police department to make sure their security cameras are directed properly and to check in and see how it's going.

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We learned that there have been numerous studies that homes saw an increase in value once tax credit homes came to their community. The last study done in 2022 said that over ten years there was a .9% increase in property value. Further analysis of five townships where similar, tax credit housing was built show an increase in housing value from \$80K to as much as a \$186K. We learned that the impact on our schools would be thirty-nine students from this development which is three students per grade. We provide municipal services to every property in UGT, so whether it's vacant or occupied, there's still impact on our township and 60 units isn't significant enough in number to make an impact on those township resources.

We also learned that this isn't Section 8 housing-which is housing in which the rent is paid for via grant. Rather this is work force housing or tax credit housing, which uses tax credits from Blue Chip Banks to build the development and then can offer rent control to allow the rent to be affordable & related to individual income. We learned that the price tag is determined by income but not the quality of the apartments, as all the apartments would be modern and high end.

We also learned that these tax credits the banks were receiving, were from the federal government and therefore this development would not raise our local, school or county taxes. In fact, the tax revenue for local, school & county taxes will be going from just under \$5K for these vacant parcels to somewhere in the \$65K range. We won't know the exact appraisal of the property until the parcels are developed.

Upon furthering listening to our community both locally and nationally, we learned that we are in the middle of a housing crisis in which spending less than 30% of your income toward your housing is a rarity. Students fresh out of college must move back home because they can't find affordable housing. Most of our volunteer fire company can't live in Upper Gwynedd because they can't afford it. Currently, we have 5 homeless people living just behind where this development would be built. Conor, our fire marshal, is working with them to help but they keep coming back because there is nowhere for them to go.

This development is not going to fix the housing crisis. In fact, the zoning might not be approved tonight or if it is, the land development may not be approved. But at the least, it is our job as your elected officials to listen to all perspectives on any idea, decision, or proposal. And I've just tried to explain how we've done just that. Unfortunately, we've also listened to our community who are opposed to this zoning change, ask us to make a moral decision about the people who would be living here. Meaning, that the people who would qualify for this development are not the people that they want in our township. That those people don't deserve to live in Upper Gwynedd because they haven't worked hard enough. Because those people are going to change Upper Gwynedd as we know it.

Hearing that, I'm appalled and embarrassed that anyone would think the quality of a person's character could be determined by their net worth and that there is a specific type of person who is allowed to live in our township.

I was asked once what my vision is for Upper Gwynedd. At that moment, I didn't think it was appropriate to share, but I'd like to share it now. My vision for Upper Gwynedd Township is for it to be a township where all its residents, business owners and visitors always feel safe and welcome. I would like to create a township where we recognize the benefit of diversity and different life experiences that make our lives richer and ultimately better. A township where there is a basic respect for every person who chooses to live, work or play here.

11. Close of Public Hearing

12. Motion to approve/deny Ordinance 2023-02, TOD 2 Text Amendment

Hearing no public questions or comments, upon motion to approve Ordinance 2023-02 by Mrs. Hull, seconded by Mrs. Damsker, the motion to approve Ordinance 2023-02 was unanimously approved.

13. Motion to approve/deny Ordinance 2023-03, TOD 2 Map Amendment

**\*\*Due to an error in the wording of the motion, Ordinance 2023-03 was not approved at this meeting but will be addressed at a later date.**

The Board of Commissioners took a brief recess.



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## Departmental Reports

### 14. Mid-Year Financial Report (Nathan Crittendon)

As reported by Nathan Crittendon, Finance Director

- Revenues have exceeded expenditures by \$1.5 M
- We are watching Act 511 taxes, but we have achieved 55% of budgeted expectations
- We have achieved 87% of budgeted expectations for licenses and permits.
- Interest earnings have exceeded expectations by \$160,433
- The Parks and Rec department has achieved 68% of its expectations. The success of Teen and Specialty camps exceeded their respective categories by a combined \$72,766. Mrs. Zadell said you won't find a P/Rec department as high performing as ours.
- Administration is under budget expectations
- Information Technology saw an increase because of server relocation and multi factor authentication but all other revenue lines are in check.
- Police, Fire & Emergency Services saw foreseen increases of expenditures due to additional personnel
- All other budgeted expenses remain in line with expectations

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

As reported by Van Rieker, Zoning Officer

- **1500 Pennbrook Parkway, Walters Group** – TOD-2 residential development. Proposed zoning map overly amendment. (60 DU on 5.7 acres). Mr. Rieker said there is still a conditional use hearing and land development to come. He added there are illegal signs regarding the development and said to take signs down or he will collect them.
- **ZHB 23-06 North Penn Auto** – Appeal of Zoning Officer to cease parking at 1601 Valley Forge Rd. (Wawa). This has been continued to September 26, 2023
- **ZHB 23-22, 1720 Supplee Road** – Variance to locate an accessory structure in the front yard. This will be heard at the August 23, 2023 ZHB meeting.
- **ZHB 23-21, 217 Church Rd.** – Special exception to permit Jump n Joy Instructional Gymnastics to occupy 4,000 sf. This was approved on July 25, 2023
- **645 Sumneytown Pike**, minor 2-lot subdivision resubmitted for final plan approval. We are waiting for the applicant to complete their requirement for a parking pad that was a condition of the Zoning Hearing Board.
- **Wawa at Sumneytown & Valley Forge Rd.** - Proposed Land Development. Review underway. This is scheduled for the UGT Planning Commission on September 13, 2023
- **825 Morris Road** – Proposed 4-lot Subdivision. This is tentatively scheduled before the UGT Planning Commission on September 13, 2023
- **212 Church Road**, land development for a 34,000-sf storage building to be added to the Secure Storage facility. This is in the preliminary review phase.

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### 16. Engineering Report (Isaac Kessler)

As reported by Isaac Kessler, Township Engineer

- **Road Program** – work on this year's Road Program has been substantially completed at this point, with the Contractor addressing some minor punch list items to close things out. We would like to thank all residents for their cooperation and patience as the work was being performed.

### **Denise M. Hull, PRESIDENT** **Finance/Personnel/Administration**

#### 17. Motion to approve the Staff Department Reports

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

#### 18. Motion to approve the Public Meeting Minutes of July 18, 2023

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

#### 19. Motion to approve Resolution 19-2023: 457 Plan loans

Mrs. Zadell said this is for employees to borrow from their own retirement savings under certain conditions.

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

### **Katherine D. Carter, Vice President** **Public Safety**

#### 20. Announcement: Police Department reaccreditation

Mrs. Carter said the Police Department has received premier reaccreditation status that only a very small percentage of police departments across the state achieve the vigorous requirements of the program.

### **Ruth S. Damsker** **Zoning/Planning/Code Enforcement**

#### 21. Motion to authorize the advertisement of Ordinance 2023-01: Spa & Massage

Ms. Gallagher said this ordinance addresses alternative massage therapies and establishments. This ordinance gives the Police and Codes Department another tool to make sure these establishments are being run safely.

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

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22. Motion to ratify the Merck waiver request for relief from Chapter 124-5 and 113-1 for Extended Work Hours to complete concrete floor installations on WP32 Freezer Facility from August 14 – September 30, 2023.

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

23. Motion to approve the Merck waiver request for relief from Chapter 124-5 and 113-1 for Sunday Work Hours to complete B53 Roof Replacement Project from August 27 – December 11, 2023.

Bill Jackson commented that there has been increased noise from Merck West Point. He asked if there is a decibel baseline and if there is a noise ordinance. Mrs. Zadell said the police utilize a decibel meter and will have the Police take a reading

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

24. Motion to approve Escrow Release #1 to the Pennington Property Group for the Moyer Blvd./Weaver Court Development in the amount of \$185,005

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

### **Liz K. McNaney** **Public Works/Parks/Recreation**

25. Motion to authorize the advertisement of the 2023/2024 Snow Plow Equipment Bid

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

26. Motion to approve Payment #2 to James Morrissey for the 2023 Roads Program in the amount of \$580,948.59 (via roll call vote)

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

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

27. Motion to approve Changeorder #2 for the Dickerson Rd. Drainage Project in the amount of (-\$25,859)

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

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28. Motion to approve Payment #3 (final) for the Dickerson Road Drainage Improvement Project in the amount of \$53,692.80 (via roll call vote)

Hearing no public questions or comments, upon motion by Mrs. Simelaro seconded by Mrs. Carter, the motion was approved 4-0 as Mrs. McNaney's vote could not be heard.

Roll call vote:	President Hull	Aye
	Vice President Carter	Aye
	Commissioner McNaney	couldn't be heard
	Commissioner Simelaro	Aye
	Commissioner Damsker	Aye

29. Motion to approve Resolution 20-2023; DCED MTF amended grant for the Sumneytown Pike Pedestrian Bridge Project

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

30. Motion to approve the Carnival Parking Agreement with Merck.

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

31. Motion to approve the Carnival Fireworks Agreement with International Fireworks Manufacturing Co. in the amount of \$13,000

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

32. Motion to approve the order for 2 accessory pieces for the previously ordered Box Truck for the Parks & Recreation Department from Bergey's Ford

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

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

### **Other Business**

33. Motion to approve the August 2023 Open Invoices (via roll call vote)

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

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



## UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

34. Motion to approve the August 2023 Paid Invoices (via roll call vote)

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

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

35. Call for Adjournment

Mrs. Carter reminded everyone to check out the latest events in the Township Newsletter and mentioned the upcoming Carnival on September 7 – 10.

Mrs. Hull adjourned the meeting at 11:08 pm.



Respectfully Submitted,

Sandra Brookley Zadell  
Secretary

**Approved October 17, 2023**

/djl