

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

BOC BUSINESS MEETING MINUTES

September 19, 2023

This meeting was held in person at the Township and live streamed on our website at www.uppergwynedd.org

1. Call to order

The September 19, 2023, Public Meeting of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Denise M. Hull at 7:00 PM. This meeting was recorded and visually taped.

2. Pledge of Allegiance

The Pledge of Allegiance was led by Merck liaison, Greg Landis.

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
Martha A. Simelaro	Commissioner
Ruth S. Damsker	Commissioner
Sandra Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Lauren Gallagher	Township Solicitor
Nicholas Cross	Township Engineer
David Duffy	Chief of Police

Zoning Officer Van Rieker and Finance Director Nathan Crittendon were absent.

4. Announcement of Executive Sessions

Ms. Gallagher said there were no Executive Sessions to report.

Mrs. Hull stated that there was an error made last month when we were adopting the map amendment related to the Walters Group application for 1500 Pennbrook Parkway. Our solicitor advised that if the applicant proceeds with the project, the map amendment will need to be readvertised and reconsidered at a future date. At this time, no action is pending. She noted that the text amendment is not impacted by the error, and we will not be taking further action on the text amendment.

5. Recognition of Colleen Tronoski for 20 years of service to the Township (unable to attend)

Mrs. Hull said Colleen began as a receptionist before moving to the codes and zoning department 7 years ago. She handles permit entry, assists the Zoning Hearing Board and Planning Commission and Administrative Assistant. She is an avid animal lover and rescuer and is mom to four boys and has a granddaughter on the way. We are lucky to have Colleen dedicate so many years to the Township.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

6. Recognition of Denny Gerhart for 40 years of service to the Township (unable to attend)

Mrs. McNaney said Denny started in 1983 and is knowledgeable about concrete and construction. He is very thorough in his work, gives his thoughts on projects and is willing to assist and support any department. Denny is an asset to the UGT family.

7. Retirement of Sergeant Ben Townsend (unable to attend)

Mrs. Carter said Ben Townsend served in the US Air Force before joining Upper Gwynedd Township as a patrol officer in 1994. He was assigned to the Detective Division from 2002-2004. He was promoted to Sergeant in 2004 and assigned to the Patrol Division where he supervised a squad. Sergeant Townsend coordinated information technology and computer integration for the department. He also served as a uniform quartermaster when the department transitioned to the current more formal uniforms in 2008 and continued handling uniform and equipment maintenance issues for several years. Sergeant Townsend is the recipient of the Meritorious Service Medal and has received several commendations. Mrs. Carter thanked him for his many years of service to the Township and wished him a happy and healthy retirement.

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

Linda Smith commented about Commissioner Hull's statement of August 22nd regarding 1500 Pennbrook Parkway.

Viraf Jacob made comments about his opinion of the Board of Commissioners and Pennbrook Parkway.

Pat Pino asked if the Walters Group received any state or federal funds from Home Funds Program, Health Choice Housing Investment Fund, and Affordable Housing Trust Fund. Mrs. Zadell said we won't be able to answer that as we are not the Walters Group and are not involved in their funding but will follow up by email.

Nancy Thomas commented on the location of 1500 Pennbrook Parkway.

Justin Griffith commented about the low-income housing tax credits.

Carl Vorwerk asked if the Board has a representative that attends the Lansdale Borough meetings to which Mrs. Hull replied no. He made suggestions about locations in Lansdale for affordable housing.

Glen Hatfield commented about Commissioner Hull's statement at the August meeting. He asked if the Township has any legal opinions that support the legality of Ordinances 2023-02 and 2023-03. Ms. Gallagher replied yes, she wrote a legal opinion. Mr. Hatfield asked for a copy to which Ms. Gallagher replied it is attorney/client privilege information. She added that she has stated publicly several times that it is our opinion based on a review of the available information that it is not spot zoning.

Mark Connelly asked what financial information a developer is required to provide to the Township. Mrs. Zadell said once a project is approved, a bond needs to be provided, but beyond that, nothing financial is required as the Board is not deciding on their financial stability. He also asked if any of the Commissioners live within 1500 feet of the Borough of Lansdale to which they indicated no.

9. Public Hearing – Ordinance 2023-01

The purpose of this hearing is to hear comment pursuant to the consideration of Ordinance 2023-01, amending the Upper Gwynedd Township Code of Ordinances at Chapter 50 to provide for the regulation and licensing of alternative and massage therapy establishments.

Brief explanation by Lauren Gallagher, Township Solicitor

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

Ms. Gallagher read the above purpose then entered the following exhibits into the record.

Exhibits:

T1: Ordinance 2023-01

T2: Proof of Publication of Legal Advertisement – September 7, 2023

She said the Commonwealth of PA allows the Township to regulate certain industries but is not permitted to regulate massage establishments, but it does permit us to regulate alternative massage establishments and alternative therapy providers. This regulates alternative establishments and therapy providers. This ordinance will create a licensing system to govern those types of establishments and those types of providers. It will also give Code enforcement the ability to perform inspections to ensure compliance. This has been successful in other municipalities.

10. Request for public comment

There was no public comment.

11. Close of Public Hearing

Ms. Gallagher closed the Public Hearing.

12. Motion to approve Ordinance 2023-01

Hearing no public questions or comments, upon motion by Mrs. Damsker, seconded by Mrs. Simelaro, the motion to approve Ordinance 2023-01 was unanimously approved.

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

13. Motion to approve Consent Items A-D (via roll call vote)

- A. Staff Department Reports
- B. Public Meeting Minutes of August 22, 2023 – this has been tabled
- C. Agreement for Encroachment onto Storm Sewer Easement for 131 W. Prospect Avenue
- D. Escrow Release #2 to the Pennington Property Group for Moyer Blvd/Weaver Ct. in the amount of \$138,607

Hearing no public questions or comments, upon motion by Mrs. Simelaro, seconded by Mrs. Damsker, the motion to approve the Consent Items A, C & D was unanimously approved.

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

Mrs. McNaney highlighted the Teen Trip Camps that were new to the Township this year.

14. Announcement of Budget Work Session Dates
October 18, 2023 at 1:00 pm
October 23, 2023 at 4:00 pm

15. Motion to award the Building Renovations Project to SB Conrad, Inc for the General Contract Bid in the amount of \$224,170, the Mechanical Bid to Clipper Pipe & Service, Inc. in the amount of \$41,000 and the Electrical Contract Bid to AN Lynch, Co. Inc. in the amount of \$100,650.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

This is for additional security of the Administration Building.

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

16. Motion to approve the 2024 Minimum Municipal Obligation (MMO)

This is for the Police Pension Plan and the Non-Uniform Pension Plan.

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

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

17. Approval of Resolution 21-2023, Recognizing October 8 – 14th as Fire Prevention Week

Mrs. Carter said the UGFD and NPSFD will visit schools to provide education.

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

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

18. Approval of Resolution 22-2023: 645 Sumneytown Pike, 2-lot subdivision

Ms. Gallagher said there are some minor changes to the resolution that was presented last week to include changes to the project description on page 1 as well as changes on page 2 which refer to the zoning relief which was obtained by the applicant. These changes were reviewed and okayed by the Township Engineer. There are some changes to the required agreements as this is a minor subdivision, so land development and escrow agreements are not required. The applicant will still be required to enter into a stormwater operation and maintenance agreement and a tapping agreement. Ms. Gallagher said there are some minor verbiage changes regarding the tapping fee that is due for lot 2, but the amounts have not changed.

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**

19. Approval of the Home at Last Dog Rescue 5K Run on October 28, 2023 from 9 am – 12 pm.

Mrs. McNaney said this race is here in the pavilion and it is a wonderful event.

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

20. Approval of the Cardinal Hollow 5K Race on October 28, 2023 from 10:30 am – 12 pm.

The applicant has withdrawn the application for this race.

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

21. Authorization to advertise the bid for the North Wales/Moyer Blvd. Pedestrian Crossing Signal

Mrs. McNaney said this crosses the Green Ribbon Trail. The signal will have flashing lights.

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

Martha A. Simelaro Wastewater Treatment

Mrs. Simelaro spoke on behalf of the WWTP urging residents not to throw grease down their drains as it will cause costly repairs. She suggested residents throw their grease in the trash and not down the drain.

Other Business

22. Motion to approve the September 2023 Open Invoices (via roll call vote)

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

23. Motion to approve the September 2023 Paid Invoices (via roll call vote)

Hearing no public questions or comments, upon motion by Mrs. Damsker, 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

24. Call for Adjournment

Mrs. McNaney spoke about the history of Upper Gwynedd Township. She provided some fun facts and said in the 1940s, board meetings were held at the Grove Hotel on Saturday afternoons. She also said a patrolman's salary in 1966 was \$5,800.

Mrs. Hull announced the last concert of the season will be held on Wednesday night. She said the Commissioners will be scooping ice cream to benefit their scholarship fund

Mrs. Hull adjourned the meeting at 7:55 pm.



Respectfully Submitted,

Sandra Brookley Zadell
Secretary

Approved October 17, 2023