

UPPER GWYNEDD TOWNSHIP BOARD OF COMMISSIONERS

PUBLIC MEETING WORK SESSION MINUTES

November 13, 2023

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

PLEASE NOTE: The Commissioners made decisions on the following items: #16, #17, #25 and #26 and those decisions are included in these minutes.

1. Call to order

The November 13, 2023, Public Work Session of the Upper Gwynedd Township Board of Commissioners was called to order by President of the Board, Denise Hull at 7:00 PM. This meeting was recorded and visually taped.

2. Pledge of Allegiance

The Pledge of Allegiance was led by US Navy veteran, Anthony Carter. In honor of Veteran's Day, the Star Spangled Banner followed the Pledge of Allegiance.

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
Sandra Zadell	Township Manager
Megan Weaver	Assistant Township Manager
Lauren Gallagher	Township Solicitor
Nicholas Cross	Township Engineer
David Duffy	Chief of Police
E. Van Rieker	Zoning Officer
Nathan Crittendon	Finance Director

Commissioner Ruth Damsker was absent.

4. Announcement of Executive Sessions

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

5. Recognition of John Chabala for 40 years of service to the Township (11/21)
6. Proclamation recognizing Dave Richard for 50 years of service to the Township (11/21 – will attend)
7. Police Life Saving Commendations (11/21)
8. Bike Lane Advisory Committee & Member Appreciation Plaque (11/21)

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

Diane Bancroft (via Zoom) has an interest in making sure people are sheltered and have information available to them in different languages.

Michael Hartz of Gwynedd Woods commented about the drainage at Farm Lane. He said runoff from Prospect Avenue has caused problems at Farm Lane. He said the runoff wouldn't be that way if it weren't for the development next door. His HOA is looking for financial help to fix the issue because the residents are on fixed incomes. They need to fix the piping and it is a costly process.

Mrs. Zadell said we have met with your HOA staff since 2020 and have connected you with low interest loans that the HOA can apply for. She said the Township cannot fix stormwater issues on private property. She said if we fix your stormwater then we have to fix it for every private property. She added that the Township we are replacing corrugated pipe throughout the Township as these pipes are failing.

Peggy Hamilton of Gwynedd Woods said only 27% of the water flowing through the pipes is from Farm Lane. The remaining runoff is coming from other sources. She is asking for some assistance from the community where they pay taxes.

Mrs. Hull said stormwater wasn't considered when many of these homes were built. All we can do now is try and fix the runoff that is a problem. The Township can only fix what is on public property. If we were to pay for everything on private property, then we would have to raise taxes significantly to cover that. We can't control where stormwater runoff is coming from and you as a homeowner may have to adjust your stormwater plan as stormwater runoff is constantly changing. Mrs. Hull added, some municipalities charge a stormwater fee

Mr. Cross said there is no way to punish people upstream for the stormwater runoff that is downstream. We are currently working on a project on West Prospect Avenue where all of the stormwater is coming from North Wales Borough. We need to upgrade the Township's systems in order to accommodate this flow. Mr. Cross added that the pipes are sized correctly, and the water should flow through at the correct rate in which it was designed during the Newbury I phase. He said corrugated metal pipe is notorious for eroding but was the standard for many years. Mrs. Zadell offered to set up a private meeting for your development so that we can answer all your questions.

Keith Clerk of Gwynedd Woods said the grading at Newbury is what is causing the issues. He has a problem with Township runoff going through his pipes and Gwynedd Woods should not have all the liability.

Mark Connelly asked about the scope of I/I. Mrs. Zadell said I/I (Inflow & Infiltration) refers to groundwater entering our sewage pipes through cracks instead of our stormwater pipes. Illegal hook ups are part of the issue but are difficult to find at individual residences. We are focusing on issues in our collection system and conveyance system such as cracked pipes and corrugated pipes that are failing.

Anne Christian of Gwynedd Woods said the Newbury development is causing the stormwater runoff issues. She added that Newbury had to know the pipes were failing in 2012 when they were under building and asked why Newbury didn't fix the pipes as part of the Newbury project. She said this repair could cost over \$400,000 and will be a burden on those on fixed incomes.

Tom Price of Gwynedd Woods said he will defer his comments to the development meeting.

Roberta Candy of Gwynedd Woods said E. Prospect Avenue used to flood and the Township added pipes that fixed the problem. Then Newbury came in with 3 ponds that would flow through the Gwynedd Woods pipes. She said there was no problem until the Township approved that development. She said someone has to take responsibility for what the Township approved which created a problem in our development. She is angry that the Township will not help as the Township created this problem.

Bruno Gidaro of Gwynedd Woods said funds from the Emergency Act of 2021 may still be available. He said Newbury runoff goes into our 4 pipes and causes damage. He asked why the Township approved the permitting

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of corrugated pipes. He feels that Gwynedd Woods should not be totally responsible for the repairs and should be shared with Newbury.

Mae Metucko of Gwynedd Woods asked if the agreement between the HOA and the Township could be amended so the Township take dedication of the pipes. Mrs. Zadell said if we take dedication of your pipes, then we would have to do it for all residents.

Mrs. McNaney said this issue does concern this Board and said we will do whatever we can to help you and answer your questions. We hear you and will do our best to help you.

Departmental Reports

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

As reported by Van Rieker, Zoning Officer

- **Wawa at Sumneytown & Valley Forge Rd.** - Proposed Land Development. Review underway.
This was approved by the UGT Planning Commission on October 11, 2023 and will be presented tonight to the Board.
- **825 Morris Road** – Proposed 4-lot Subdivision.
This was approved by the UGT Planning Commission on October 11, 2023
- **212 Church Road**, land development for a 34,000-sf storage building to be added to the Secure Storage facility.
This was approved by the UGT Planning Commission on October 11, 2023.
- **ZHB 23-23, 606 Roosevelt Court**, variance to permit a patio to be located within the minimum rear yard to permit 12 feet where 20 feet is required.
This was approved in October.
- **ZHB 23-24, 1404 Sandys Lane**. Variance to permit an in-law suite addition.
This is scheduled November 28, 2023
- **ZHB 23-25, 1923 E. 2nd Street**. Variance for height of accessory detached garage.
This is scheduled November 28, 2023
- **ZHB 23-26, 554 Woodford Road**. Variance for height and front yard setback of detached garage.
This is scheduled November 28, 2023
- **ZHB 23-27, 428 S. Pennsylvania Ave.** Variance to permit an addition for an in-law suite in front yard.
This is scheduled November 28, 2023

11. Engineering Report (Nicholas Cross)

As reported by Nick Cross, Township Engineer

- **Haines Run Streambank Restoration Project** – RVE has been working diligently with the Township over the last few years to prepare the design to restore the streambanks of Haines Run near the confluence with Wissahickon Creek. In 2020, The Township's Wastewater Treatment Plant experienced extreme flooding which resulted in millions of dollars in

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damages. The Haines Run project will restore the streambanks and remove blockages from the flow channel to allow stormwater to move more effectively toward Wissahickon Creek and mitigate future flood events in the area. RVE will be giving a public presentation to go into further detail on the project in the next few months, but we wanted to highlight the fact that we have received our DEP permit approval for the project and are nearing the point where construction can begin. As a reminder, RVE on behalf of the Township has applied for and received over \$1 million dollars in grant funding and anticipate these awards to fully fund the construction costs for the project.

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

12. Staff Department Reports

Parks & Rec	Public Works	Police	Zoning	Code Report
Eng. – G&A	Eng. – RVE	UGFD	NPFD	VMSC

This will be placed on the consent agenda

13. Public Meeting Minutes of October 9, 2023

This will be placed on the consent agenda

14. Public Meeting Minutes of October 17, 2023

This will be placed on the consent agenda

15. Proposed reading of the 2024 Budget (November 13)

- Budget Presentation by Sandra Zadell

Mrs. Zadell announced there will be no tax increase for 2024. The 2023 spending forecast shows a surplus of \$1,362,791 and we will be transferring \$750,000 to the capital reserve fund. LST and EIT increased in 2023. We currently have 62% of our expenses in reserve or 9.5 – 12.9 months of expenses in reserve.

The proposed budget for 2024 is \$17,757,694 in total revenue between 3 main funds.

General Fund Operational Overview

- Facilities upgrades
- Additional police officer
- Continued investment in Stormwater repairs and pipe lining
- Continued progress on salary studies and adjustments
- New funding for the VMSC
- New FTE to replace our retiring ZO
- Milling and paving reduced costs

WWTP

- 2% reduction in chemical costs
- 29% increase in Safety Supplies
- 75% increase in tools budget
- 17% reduction in in lap prices
- 111% increase in engineering costs to fund capital projects
- 10% increase in electric
- \$15K increase in training

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- \$85,733 increase in insurance costs due to flood experience rating
- Strong investment in I/I investment

Fire Fund

- \$153,000 of funding to UGFD with modest increase for increased costs
- \$7,500 in funding to NPFD
- \$547,822 fund reserve for future vehicle & building improvements

We have increase our investment in stormwater and capital infrastructure repairs. We are replacing corrugated metal pipes with plastic or concrete. Prior to 2019, there was no budget for stormwater repairs.

The 5 year capital plan proposed spending in the amount of \$29,984,445 with over 157 projects.

We need to maintain a minimum of transferring \$315,000 to the capital reserve. In 2023, \$750,000 will be transferred and we are proposing \$345,000 in 2024.

Infrastructure Investment Planning for 2024

- Haines Run Streambank Restoration
- Sumneytown Pike Bridge Replacement

Other 2024 Capital Projects

- Security improvements to the Township Building
- Police Car Camera Upgrades
- Spray Lining in the Villages and Stony Creek
- Flood Gates for high flood roadways
- New Roof, HVAC & backup generator for Township Building
- Hartley Drive Meadow Conversion
- Pedestrian Safety Project at North Wales & Moyer Blvd
- Replacement Playground at Rexdale
- Several Vehicle replacements

Mrs. Zadell said there is a proposed increase to the sewer rates of \$75.00 per household annually. We are the third cheapest in rates for the surrounding area. This additional money will help fund our WWTP capital reserve for the following projects

- Influent Upgrade
- Bridge at WWTP entrance
- WAS and RAS pumps
- Effluent Pump Upgrade
- Influent Distribution Box Upgrades
- Aeration Tank Upgrades
- Primary Tanks Skimmer Upgrade
- Chemical Fee Evaluation
- Gate Replacement for Clarifiers and Aeration Tanks
- Primary Tank #1 Evaluation

Diane Bancroft (via Zoom) thanked the Board for the budget and asked how she can help raise revenue for the budget. Mrs. Zadell said to please participate in our Parks and Rec programming and donations will help fund our Parks & Rec and Police programs.

16. **DECISION:** Motion to Authorize the advertisement of Ordinance 2023-04: Fixing the Tax Rate for 2024

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

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17. **DECISION:** Motion to Authorize the Advertisement of Ordinance 2023-05: 2024 Budget Appropriations

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

18. Approval of Resolution 24-2023: Authorizing the auditors to conduct an audit

19. Approval of Resolution 25-2023: Homestead Exemption for 2024

20. Approval of the proposal from Corporate Interiors for the Building Renovations Project in the amount of \$81,562.54 via Costars

This is the group that will provide all the furnishings for our building renovations projects.

Diane Bancroft (via Zoom) asked if we need all these cubicles since the trend is to work from home. Mrs. Zadell said we do allow some employees to work from home one day a week, but we need to be present to offer our customer service to our residents.

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

21. Approval of the Memorandum of Understanding with BusPatrol America

Ms. Gallagher said there has been a legislative enactment which allows third party vendors to process and collect fines for red light camera violations on school buses. They not only generate revenue from the violations but decrease the amount of violations occurring.

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

22. Approval of the Merck waiver request from Chapter 113-1 & 124-5 for Sunday work hours on WP53 for a Roof Replacement Project. Sunday between December 18, 2023 and January 28, 2024

This will be placed on the consent agenda

23. Approval of Resolution 26-2023: Preliminary/Final Land Development Approval for Wawa at Valley Forge Road

Christen Pionzio from HRMML said the existing buildings on the property at the corner of Valley Forge Rd. and Sumneytown Pike will be demolished and replaced with a new 5,330 sq ft. Wawa with 8 gas pumps totaling 16 fueling positions on 4.1 acres. Frontages on both roads will be reconfigured. The turning configurations will be right in/right out and left in only for Sumneytown Pike and right in/right out for Valley Forge Road. There will be 69 parking spaces and an additional 14 spaces for our neighbor at North Penn Auto. We have the review letters from Township Consultants, and we will comply with all. Compliance with landscaping in the parking lot has been discussed and worked out with Van Rieker. We would like to incorporate Norway Spruce which is not on the list of recommendations as it is not native but is permitted according to Ordinance.

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We are requesting one additional waiver be included in the approval resolution. Waivers include the following;

- Preliminary/final plan requirements be combined
- Installation of flush curb for ADA accessibility
- Full access to rear of building and building to have a sprinkler system
- The light pole placement will exceed the requirement
- The curb radii for the median are less than the required 5' radius

Some questions were asked by Commissioner Simelaro and the answers are below.

The current Wawa store is 4,830 sf and the proposed new wawa will be 5,330 sf

The new Wawa will be open 24/7

The lighting spillover will be on the North Penn Auto property and will not affect area residents

There will be 8 pumps with 16 fueling positions and will offer regular, premium and diesel fuels

There is space available for EV charging stations and if a vendor wants to provide for charging stations, the space is ready.

A check set review letter will be issued by the Township Engineer once the revisions are done and everything is in order which allows the plans to be signed

Diane Bancroft asked about Wawa policies. Ms. Pionzio said we are not representatives of Wawa but only of the developer.

William Jackson asked if there are any bike racks as part of the plan. Ms. Pionzio said there are no bike racks proposed but we will look at the plan. Mr. Jackson encouraged the use of bikes to lessen the vehicle traffic.

24. Approval of Resolution 27-2023: Preliminary/Final Land Development Approval for 212 Church Road

Mark Davis is the attorney for 212 Church Rd. In 2017, the property was developed into a mini warehouse of 95,000 sf for storage units for residential use. We are proposing an additional 37,000 sf for more storage units. This will create an additional 270 storage units with de minimis traffic flow. Access to the storage units will be available between the hours of 6 am and 10 pm. Mr. Davis said we will comply with all recommendations. He added we are just seeking preliminary plan approval not preliminary and final. Ms. Gallagher will revise the resolution.

William Jackson asked about any sidewalk. Mr. Davis said there will be a sidewalk along the front of the building that will connect to the existing sidewalk.

Diane Bancroft asked if more can be done to lessen the amount macadam. Mr. Davis said there is existing macadam that is going away and will be replaced with the proposed building. Only 30 vehicles will be able to be parked there instead of the current 170. They are repurposing existing ground.

25. **DECISION:** Motion to Approve the Settlement Agreement for 229 Morris Road

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

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

26. **DECISION:** Motion to reject the Trail Crossing Bid from Albert Cipolloni & Sons and rebid the project

Mr. Cross said there was only one bid was received and it came in over budget. We will scale down the project and rebid it.

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

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27. Authorization to advertise the 2024 Roads Program
28. Approval of Resolution 28-2023: Grant application to PECO Green Region Open Space Program for the Hartley Drive Meadow Conversion Project in the amount of \$10,000
29. Approval of Resolution 29-2023: Grant application to Local Share Account (LSA) for the Sumneytown Pike Pedestrian Bridge Relocation Project in the amount of \$528,208.64

Martha A. Simelaro **Wastewater Treatment**

30. Authorization to Advertise Ordinance 2023-06; increasing the sewer rates for 2024

This was covered during Mrs. Zadell's budget presentation.

31. Approval of PACT TWO's Costars proposal for Influent Screen and Pipe Work in the amount of \$16,983.

The next 3 items are for WWTP upgrade projects.

32. Approval of BSI Electrical Contractors Costars proposal for Influent Screens Upgrade Project in the amount of \$24,940
33. Approval of BSI Electrical Contractors Costars proposal for the Influent Distribution Box Upgrades in the amount of \$8,485

Other Business

34. Approval of November 2023 Open Invoices (via roll call vote)
35. Approval November 2023 Paid Invoices (via roll call vote)
36. Call for Adjournment

Mrs. Hull adjourned the meeting at 9:53 pm.



Respectfully Submitted,

Sandra Brookley Zadell
Secretary

/djl