

GOODMAN PROPERTIES

April 17, 2018

Kenneth E. Kroberger, President
Upper Gwynedd Township Board of Commissioners
P.O. Box 1
West Point, Pennsylvania 19486

Dear Commissioner Kroberger:

Working behind the scenes with Merck executives, you and the other members of the Board of Commissioners, together with the former Township Manager, have spent more than \$350,000 of taxpayer money to obstruct the development of a Wawa in Upper Gwynedd Township. Those expenses continue to increase. We have been shocked by the Board's bias and lack of fair play. Your irresponsible spending has deprived your constituents and the Township from receiving certain needed improvements and quality services necessary to better protect and promote the health, safety and welfare. Instead, you chose to place a large financial burden on taxpayers' wallets. Hopefully, the better judgment of two new commissioners will change the course of the Board and result in actions consistent with the fiduciary responsibility each commissioner has to the residents of the Township.

Bills, invoices and charges submitted to Upper Gwynedd Township reveal that hundreds of thousands of dollars were spent from August 2016 through January 2018 on legal services that included charges for phone calls, emails and meetings between Township officials and Merck executives; travel reimbursement for engineers' personal vehicles; and costs associated with the negotiation and preparation of an agreement with Royal Farms to develop a competing facility on another corner at the same intersection.

In fact, Royal Farms obtained the same zoning approvals from the Zoning Hearing Board as are required for Wawa. You and the Board did not oppose or appeal the Royal Farms approval but chose to oppose and appeal the Wawa approvals. You and the Board then exacerbated the disparity in treatment by entering into negotiations for a Settlement Agreement with the Royal Farms developer that would have cleared the path for it to construct a project of much larger scale.

Records obtained via a Right-to-Know request confirm the Township has expended the following costs to date:

| Entity | Services | Amount |
|--|---------------------|---------------------|
| Wisler Pearlstine, LP / James Garrity, Esq. | Legal | \$249,718.68 |
| T & M | Engineering | \$34,255.20 |
| Law Offices of Robert J. Edelmayer | Legal | \$30,873.25 |
| Heinrich & Klein Associates, Inc. | Traffic Engineering | \$19,893.83 |
| Ken Amey | Land Planner | \$13,725.00 |
| Environmental Engineering and Management Associates Inc. | Engineering | 1,973.00 |
| | Total | \$350,441.96 |

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Instead of wasting taxpayer money in opposing Wawa, the Township could have allocated these funds to cover the cost of improvements and essential services identified in its 2018 budget, including:

- \$125,000 - Remediating the Swedesford Road Bridge, repairing sidewalks, storm sewers & failing pipes
- \$75,000 - Providing a sufficient supply of road salt for Public Works
- \$45,000 - Providing maintenance and repairs for Parks and Recreation; tree removal, playground material, Eagle Scout projects and playground sand
- \$40,000 - Providing maintenance to fire hydrants
- \$32,000 - Making necessary repairs and maintenance to police vehicles
- \$25,000 - Installing Americans with Disabilities Act (ADA) compliant ramps throughout the Township

On this tax day, it would be both fitting and prudent for the Township officials to pay back any tax dollars that were used to side with Merck and block the Wawa proposal. Upper Gwynedd Township residents should not be burdened with a \$350,000 bill as a result of their elected officials putting a large corporation's interests ahead of the interests of Township taxpayers. The residents of the Township deserve to have their tax dollars returned to them.

Our Wawa proposal would create 40 new full- and part-time local jobs with career path options and generous benefits in a family-like workplace culture. It would allow residents access to a large selection of convenient food services. You and your colleagues have worked behind closed doors with executives from Merck to block our Wawa proposal against the will of many Township residents, more than 430 of whom have already signed a petition in favor of developing the Wawa. Comments from these residents include the following:

"I don't like the idea of the Township trying to oppose this plan and not give it a fair review. Township officials need to be more transparent, and if the memo on this webpage is any indication, they're clearly not being transparent." – A.L.

"Please allow the Wawa to be built. It is much needed and would be nice to see growth in Upper Gwynedd Township for businesses other than Merck." – M.M.

"I would LOVE having a full service Wawa so close to my home. This would bring new jobs, great food, and gas to a great location." - T.N.

We ask that the Board of Commissioners take appropriate, responsible actions to ensure all residents are receiving a fair and transparent government responsive to their best interests.

Sincerely,



Bruce Goodman

Owner

Goodman Properties

cc: James A. Santi, Vice President
Thomas A. Duffy, Commissioner

Denise M. Hull, Commissioner
Liz K. McNaney, Commissioner

Michael J. Lapinski, Acting Township Manager