

MINUTES OF PUBLIC MEETING

April 25, 2016

KENNETH E. KROBERGER, PRESIDENT
Finance/Personnel/Administration**1. CALL TO ORDER.**

The April 25, 2016, Public Meeting of the Board of Commissioners was called to order at 7:30 PM by President of the Board, Kenneth E. Kroberger. The following individuals were in attendance.

Kenneth E. Kroberger	President
M. Clare Edelmayer	Vice President
James A. Santi	Commissioner
Thomas A. Duffy	Commissioner
Leonard T. Perrone	Township Manager
Michael J. Lapinski	Assistant Township Manager
David W. Duffy	Police Chief
David Onorato	Township Solicitor
Russ Benner	Township Engineer

2. President of the Board Kenneth E. Kroberger will make a public statement from the Board of Commissioners and Staff regarding the death of Commissioner Eugene P. Ziemba.

(MOMENT OF SILENCE)

Mr. Kroberger opened the Public Meeting and requested a moment of silence in memory of Commissioner Eugene P. Ziemba.

Mr. Kroberger read the following statement:

“On Wednesday, April 13, 2016, the Township of Upper Gwynedd lost a very dear and dedicated member of the Township family, Commissioner Mr. Eugene (Gene) Ziemba. Mr. Ziemba dedicated 35 years to the service of Upper Gwynedd Township. Mr. Ziemba began his service to Upper Gwynedd in July of 1981, when he became a member of the Township’s Civil Service Commission. He served on this Commission until 1985. Beginning in September of 1983, he served on the Township’s Zoning Hearing Board and served as its chairman for 3 years until he was elected as a Township Commissioner. In the fall of 1989, Mr. Ziemba ran for election and was elected as a member of the Board of Commissioners beginning in January of 1990 through to his recent passing.

While on the Board, Mr. Ziemba assumed the task of being the Commissioner liaison of the Police Department and the Fire Company. Mr. Ziemba served on numerous committees including the Traffic Improvement Committee which guided various highway projects that were completed in the Township through the 1990s up to and including the replacement of the railroad bridge on Sumneytown Pike in 2010. Mr. Ziemba also served on the Township’s Police Pension Board. For many years Mr. Ziemba was active in AMBUCS (American Business Club) an organization which helps to raise funds to assist physically disabled individuals and to provide educational scholarships for students entering the physical therapy profession.

While serving on the Board, Mr. Ziembra placed a high emphasis on constituent service and demanded that the Township Staff provide the best and most thorough assistance to Township residents and taxpayers. His heart and personality will be missed.

The entire Township family including the Board, Staff, and the members of all support Committees extend to his wife Sylvia, his son Eugene, Jr., his daughter Meredith, and the entire Ziembra family our heartfelt sympathy and our appreciation for Gene's years of service to the community."

3. MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON MARCH 15, 2016.

Mr. Kroberger noted that the Workshop Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Santi, seconded by Mr. Duffy, the Minutes of the March 15, 2016, Workshop Meeting were approved as presented.

4. MOTION TO APPROVE THE MINUTES OF THE PUBLIC MEETING HELD ON MARCH 28, 2016.

Mr. Kroberger noted that the Minutes of the Public Meeting were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mrs. Edelmayer the Minutes of March 28, 2016, Public Meeting were unanimously approved.

5. MOTION TO APPROVE THE DEPARTMENTAL REPORTS FILED BY TOWNSHIP STAFF.

Mr. Kroberger noted that the Departmental Reports were sent with the Agenda and asked for comments or questions. Hearing none, upon motion of Mrs. Edelmayer, seconded by Mr. Santi, the Departmental Reports were approved as submitted.

6. PRESENTATION OF PUBLIC COMMENTS AND CONCERNS (LIMIT OF FIVE MINUTES PER INDIVIDUAL).

Mr. Robert Wilkinson introduced himself and stated that he resides at 329 Britt Road. He reported that he chaired the Upper Gwynedd Democratic Committee. He stated that on behalf of the Democratic Committee he wanted to express his condolences on the passing of Commissioner Ziembra. He expressed his gratitude for Mr. Ziembra's many years of service on the Board of Commissioners. He stated that he would like to propose that the Board consider the next two highest vote getters from the last election Kathryn Carlson and Elizabeth McNaney as candidates for replacement Commissioner.

Mr. Wilkinson questioned the purpose of the Vacancy Board. Mr. Kroberger explained that the Township has 30 days to appoint a replacement for Mr. Ziembra. If the Board does not come to a decision within the 30-day period, they then need to bring in the Vacancy Board Member (there is only one). He noted that the Township has never had to use a Vacancy Board Member in the past. If needed, it allows the Board an additional 15 days to decide on who will replace Mr. Ziembra. He noted that it is basically a tie breaker since there are currently four Board Members.

Mr. Wilkson also requested that the next election be based on representatives from the individual Upper Gwynedd precincts and not an at large strategy as 3 of the 7 precincts (according to latest numbers) have a majority of democratic voters. He thanked the Board for their time.

Mr. David Walsh introduced himself and stated that he resides at 163 Dawn Drive. He requested "Keep off Shoulder" signs from PennDOT be posted coming from South Broad to Merck Gate 1 because at least once a week he sees a car driving on the shoulder. Mr. Perrone noted that when the Township relocated Allentown Road, the Township was required to establish a share the road shoulder for bikers. It was clarified that it was between Broad Street and Canterbury. Mr. Kroberger stated that he will check with the Chief of Police. Mr. Walsh questioned the status of the Community Center Recreation Building and noted that he filled out the Survey. The Board acknowledged it is in the preliminary stages, but the Township has received about 700 responses. He further discussed a problem with a neighboring tenant and the fact that their landlord is not taking responsibility for the tenants actions. It was noted that there is no Homeowners Association in this neighborhood, and Police Chief Duffy is aware of the situation.

7. RECOGNITION OF JONATHAN C. KELCY FOR 15 YEARS OF SERVICE TO THE TOWNSHIP.

Mr. Kroberger stated that it is a pleasure to recognize Jonathan C. Kelsey for 15 years of service to the Police Department and the community.

8. MOTION TO APPOINT MICHAEL J. LAPINSKI TO REPRESENT THE TOWNSHIP ON THE EARNED INCOME TAX COLLECTION COMMITTEE.

Mr. Kroberger stated that Mr. Lapinski is going to represent the Township along with Mr. Brill on the Earned Income Tax Collection Committee in place of the former Assistant Township Manager Ms. Slook. He reported the County holds a couple of meetings each year. Mr. Santi clarified that Berkheimer was selected by the Earned Income Tax Collection Committee to be the tax collector for the County, and each municipality needs to have two representatives on the Committee.

Mr. Santi motioned to appoint Michael J. Lapinski to represent the Township on the Earned Income Tax Collection Committee. Seconded by Mr. Duffy, Mr. Lapinski was appointed.

9. MOTION TO APPOINT JOHN S. MURRAY, III WHO RESIDES AT 236 UPPER VALLEY ROAD TO FILL THE POSITION ON THE VACANCY BOARD.

Mr. Kroberger read Item No. 9 above. He reported that Judge Murray serves on the Township's Parks and Recreation Advisory Board and he served on the Upper Gwynedd Towamencin Municipal Authority for many years. Mr. Kroberger read the Oath of Office out loud to the audience. Mr. Kroberger stated that Judge Murray will meet with Mrs. Caracausa to formerly take his Oath of Office later. He thanked Judge Murray for accepting this position on the Vacancy Board. He announced that the Board has until May 13th to appoint a replacement for Mr. Ziemba. If that does not happen, then they bring in the Vacancy Board Member which gives them an additional 15-day period of time to do so.

Mrs. Edelmayer motioned to appoint John S. Murray, III who resides at 236 Upper Valley Road to fill the position on the Vacancy Board. Seconded by Mr. Santi, Judge Murray was appointed.

10. MOTION TO AUTHORIZE THE EXPENDITURE OF \$630.00 PER UPPER GWYNEDD TOWNSHIP OFFICIAL ATTENDING THE PENNSYLVANIA STATE ASSOCIATION OF TOWNSHIP COMMISSIONERS (PSATC) CONFERENCE AT THE CROWNE PLAZA IN KING OF PRUSSIA FROM THURSDAY, JUNE 23 THROUGH SUNDAY, JUNE 26, 2016.

Mr. Kroberger read Item No. 10 above. He noted that this is a yearly convention for 1st Class Townships, and at this point the Township is unsure about who will be attending. Mr. Santi motioned to authorize the expenditure of \$630 per Township Official attending the conference in King of Prussia from June 23 through June 26, 2016. Seconded by Mrs. Edelmayer, this expenditure was approved.

M. CLARE EDELMAYER, VICE PRESIDENT

Public Works/Parks/Recreation

11. RECOGNITION OF WILLARD W. TROXEL FOR RECEIVING THE 2015 MONTGOMERY COUNTY PUBLIC WORKS BILL STEWART AWARD.

Mrs. Edelmayer reported that the Township hosted a Trolley Presentation last week and Mr. and Mrs. Troxel were in attendance. Mr. Troxel kiddingly stated, "Don't be surprised if you see me as a baby in these pictures." She reported that Mr. Troxel has been a dedicated employee of the Township for over 40 years. She stated that the Montgomery County Public Works Association has also realized this as they have presented him with the 2015 Bill Stewart Award. She stated that Bill Stewart was a founding father of the County Public Works Association and every year they present this award to a member who exemplifies dedication, active participation and determined efforts towards the goals of the organization. Mrs. Edelmayer showed the award to the audience and asked Mr. Troxel to come forward for a congratulatory handshake with the Board.

12. MOTION TO APPOINT KATHLEEN DOOLEY OF 220 SWEDSFORD ROAD TO THE PARKS AND RECREATION ADVISORY BOARD TO FILL THE EXPIRED TERM (2015) OF BERNADETTE FLANIGAN. THE TERM WILL EXPIRE 2019.

Mrs. Edelmayer stated that the Township received some very good Resumes for the vacancy on the Parks and Recreation Advisory Board. She reported that she conducted interviews and would like to appoint Kathleen Dooley to the Board. She stated that Ms. Dooley has been a resident since 1990, she formerly worked for Merck, and she has a Master's Degree in Computer Science.

Mrs. Edelmayer motioned to appoint Kathleen Dooley of 220 Swedesford Road to the Parks and Recreation Advisory Board to fill the expired term of Bernadette Flanigan. Her term will expire in 2019. Seconded by Mr. Duffy, Ms. Flanigan was appointed.

JAMES A. SANTI
Zoning/Planning

13. MOTION TO APPROVE RESOLUTION NO. 10-2016 ESTABLISHING A FEE SCHEDULE.

Mr. Santi reported that two or three years ago the Township established a new fee schedule updating the building fees. He noted that the Township needs to now update the zoning fees. He stated the fees only cover the Township's costs. Mr. Perrone noted that there are many new regulations that are forcing the fees to go up. Mr. Kroberger clarified the Township does not make any profit on these charges.

Mr. Santi motioned to approve Resolution No. 10-2016 Establishing a Fee Schedule. Seconded by Mrs. Edelmayer, this Resolution was approved.

14. MOTION TO APPROVE A WAIVER OF LAND DEVELOPMENT FOR GWYNEDD CORPORATE CENTER (1120 WELSH ROAD, STE. 170) IN REFERENCE TO AN ELECTRIC VEHICLE CHARGING STATION AND A SMOKING STATION.

Mr. Santi read Item No. 14 above. He explained that the Applicant is requesting a Waiver of Land Development for an electrical vehicle charging station and a smoking station. He stated that the charging station must be for employees only and this should be noted as a condition. He explained the smoking station is a small cubicle that takes up two parking spaces that allows employees to go out and smoke.

Mr. Santi motioned to approve a Waiver of Land Development for Gwynedd Corporate Center for an electric vehicle charging station for employees only and a smoking station. Seconded by Mr. Duffy, this Waiver was approved.

15. MOTION TO APPROVE MERCK & CO., INC. REQUEST FOR A WAIVER FROM CHAPTER 113-1 FOR CRANE WORK ON TWO OF THE FOLLOWING SUNDAY'S IN MAY 1, 8, 15 OR 22.

Mr. Santi read Item No. 15 above. He explained that the work to replace the roof will be done during the work week which includes Saturday, but the roofing materials need to be lifted on Sundays while no employees are in the area for safety reasons.

Mr. Santi motioned to approve Merck & Co., Inc. request for a Waiver from Chapter 113-1 for crane work on any two of the following Sunday's in May 1, 8, 15, or 22, 2016. Seconded by Mrs. Edelmayer, this Waiver was approved.

16. MOTION TO AUTHORIZE ATTORNEY ONORATO TO REPRESENT THE TOWNSHIP BEFORE THE TOWNSHIP'S ZONING HEARING BOARD FOR THE HEARING OF HARTFORD PROPERTIES, LLC, APPLICATION RELATED TO 467 SUMNEYTOWN PIKE.

Mr. Santi read Item No. 16 above. Attorney Onorato stated the Township received a three building Application on the corner of Church Road and Sumneytown Pike to include a convenience store, a hotel, and a retail center. He noted in keeping with the commercial district, the Applicant is requesting a Special Exception and they may need some dimensional relief. Mr. Lapinski reported the Zoning Hearing is scheduled for May 24, 2016. Attorney Onorato stated that he would suggest any conditions that might need to be placed on the Special Exception.

Mr. Santi motioned to authorize Attorney Onorato to represent the Township before the Township's Zoning Hearing Board for the hearing for Hartford Properties, LLC, Application related to 467 Sumneytown Pike. Seconded by Mrs. Edelmayer, this motion was approved.

Public Safety

17. RECOGNITION OF DAVAUNTE MINOR AND EVAN JAMES FOR ASSISTING THE POLICE DEPARTMENT ON MARCH 16, 2016.

Police Chief Duffy introduced Evan James and stated that he is present tonight in regard to a problem the Police Department had on March 16, 2016. He reported that Sergeant Gillen and Officer Young responded to a call at Gwyn-Nor Elementary School where they encountered a student on a school bus who was suffering from mental health issues having a breakdown and acting out violently. He explained that normally when the Police arrive on a scene where someone is violent, they move everyone out of the way and take control of the situation. In this case Mr. James and his friend Mr. Minor were consoling this student and keeping her from hurting herself any further and from the risk of hurting others. He reported that they were doing a good job so instead of moving them out of the way, they allowed them to work with the student until she voluntarily agreed to get treatment.

Chief Duffy stated that in recognition of Mr. James and Mr. Minor's effort, he prepared an Official Commendation. He noted that the Police Department always talks about the partnership that they have with the community and needing the residents help to get things done which most of the time means reporting to them. In this case, the students were right there helping us. Chief Duffy presented the Commendation to Mr. Evans and noted that because of his help the event came to a safer resolution. Sergeant Gillen stated that Mr. Evans was an important piece of the puzzle during this event.

18. RECOGNITION OF POLICE CHIEF DAVID W. DUFFY AS PRESIDENT OF THE MONTGOMERY COUNTY POLICE CHIEFS ASSOCIATION.

Mr. Kroberger stated that it is his privilege to recognize Police Chief David Duffy as he recently became President of the Montgomery County Police Chiefs Association. Chief Duffy jokingly reported that it is an 8-year sentence. Mr. Kroberger invited him to come forward for a congratulatory handshake with the Board. Chief Duffy noted that the Police Chiefs Association accumulates funds to provide training for Police Chiefs, Command Staff, and other Officers throughout the County. In addition to training, the Association also coordinates radio upgrades and day-to-day police responses. For example, the Stone murders in Montgomery County required resources from multiple agencies, the Papal Visit, and the church sanctuary shooting which required coordinating seven different Police Departments and Officers at the scene. He stated that it is his honor to serve as President this year. Mr. Kroberger stated that this is a great representation to the Township, and he thanked Police Chief Duffy on behalf of the Board.

19. MOTION TO APPROVE THE 2ND ANNUAL HOME AT LAST DOG RESCUE 5K RUN, DOG WALK AND FALL PET FAIR SCHEDULED FOR OCTOBER 29, 2016, AT 9:00 AM. THIS IS A FALL FEST TYPE PET FAIR TO TAKE PLACE AT PARK SIDE PLACE.

Mr. Kroberger noted that the Township hosts many runs and walks throughout the year and Sergeant Gillen reviews and approves all the requests before they come before the Board for approval. He noted that the Home at Last Dog Rescue 5k Run, Dog Walk and Fall Pet Fair will be between 300-500 runners this year.

Mrs. Edelmayer motioned to approve the 2nd annual Home at last Dog Rescue 5k Run, Dog Walk and Fall Pet Fair scheduled for October 29, 2016, at 9:00 AM. Seconded by Mr. Duffy, this event was approved.

THOMAS A. DUFFY

Wastewater Treatment

There are no items to report.

OTHER BUSINESS

20. APPROVAL OF THE APRIL, 2016, BILLS.

Mr. Kroberger noted that the Board had received a copy of the General fund bills. Hearing no questions, upon motion by Mr. Santi, seconded by Mr. Duffy, the General Fund bills for April were approved. Mrs. Edelmayer abstained from approving the Zoning Solicitor's bill.

Mr. Kroberger advised that the Board had also received a copy of the bills from the Sewer Fund and asked for questions or comments. Hearing none, upon motion by Mr. Duffy, seconded by Mrs. Edelmayer, the Board unanimously approved the Sewer Fund bills.

Mr. Kroberger advised that the Board was also being asked to approve invoices from all other funds. Upon motion by Mr. Santi, seconded by Mr. Duffy, the Board unanimously approved these invoices as well.

Mr. Kroberger advised that there were a number of invoices that had been prepaid. Upon motion by Mr. Duffy, seconded by Mrs. Edelmayer, the Board unanimously approved the pre-paid invoices.

21. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.

There being no further business, upon motion by Mrs. Edelmayer, seconded by Mr. Duffy, the meeting was adjourned to Executive Session at 8:12 PM.

Respectfully Submitted,

Leonard T. Perrone
Secretary

/kmc

Approved May 23, 2016