

**WORKSHOP MEETING MINUTES**

February 16, 2016

The February 16, 2016, Workshop Meeting was called to order at 7:00 P.M. Those present were:

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 Brill	Finance Director
David W. Duffy	Police Chief
David C. Onorato	Township Solicitor
E. Van Rieker	Zoning Officer & Planning Coordinator
Russ Benner	Township Engineer

**CONSULTANTS****PLANNING/ZONING****1. Report by E. Van Rieker (Updates):**

- Sumney Forge (WaWa Center)

Mr. Rieker reported that there is nothing new in reference to the Sumney Forge shopping center.

- Giant Plan (Plan Review March)

Mr. Rieker reported that the Giant Plan is moving forward slowly. They are in the process of hiring architects and they expect to be in front of the Township's Planning Review Committee in March.

- ZHB 15-17 BCHW Holdings, 1830 West Point Pike. Cardinal Hollow Wines request for outside seating/limited dining and variance from requirement for additional parking. Continued to 2/23/16. (Note: Applicant withdraws outside dining.)

Mr. Rieker reported that ZHB 15-17 Cardinal Hollow Wines has been in process for about six months. He noted they have withdrawn the request for outside dining. Mr. Rieker reported that the Applicant is purchasing the two lots (both halves of one twin) adjacent to his existing building that he currently owns so he will have extra parking in the rear of the buildings zoned LI. He noted that the Applicant wants the ZHB to consider allowing him under certain hours to serve food. It was noted that Attorney Onorato has been authorized to attend the hearing. Attorney Onorato stated he sees two issues: Parking and impervious coverage since it is land development.

- ZHB 09-07 Appeal North Wales Water Authority, WWTP site.

Mr. Perrone reported that he has not heard anything back relative to meeting with the NWWA in regard to WWTP site to talk about the future of the entire property. They were doing work on North Wales Road which had stopped but has now resumed. Mr. Bender of the NWWA stated that if there was any activity in regard to road work that it would cease immediately.

- ZHB 15-22 LoPiccolo (LaCampagnola Rebuild) – Decision to be rendered 2/23/16

Mr. Rieker reported that in reference to ZHB 15-22 (former La Campagnola Restaurant) a decision is to be rendered on February 23<sup>rd</sup> at the Zoning Hearing Board meeting. The Applicant has completed his request for variances for mixed use and residential on the second floor. Mr. Rieker noted the seating area will be reduced because of the shared parking at 620 (across the street) and that will all be folded into the new decision considering it is favorable. Attorney Onorato reported that he asked the Zoning Hearing Board to limit the number of seats because their previous Plan had booths and now they have a more open Plan which only shows tables. Since they could easily bring in more tables, the ZHB will limit the number of tables and/or seats so they remain in compliance with the parking requirement.

- Consider Land Development approval JN Auto

Mr. Rieker reported that JN Auto is the former gas station on the southwest corner of the intersection of Sumneytown Pike and S. Broad Street. They applied for a paint booth and the Board waived the submission of a Land Development Plan. They are going to landscape the front, stripe their parking, and they are finalizing that Plan. He stated that he expects that Plan to be in for approval in about a month. Mr. Lapinski noted that the Applicant will be required to obtain a Grading Permit.

- Waiver Penn-Suburban Chamber of Commerce occupancy of Volpe Building (administrative office space)

Mr. Rieker reported that Penn-Suburban Chamber of Commerce is a compartmental use at the Volpe Building for administrative office staff. They want to use about 1,000 sq. ft. of space within the existing show room building and a little bit will expand into the warehouse. This will be for five permanent employees of the Chamber of Commerce and a small meeting room. He noted there is plenty of parking available. It was noted that Mr. Volpe allows them to hold events there already, and there is adequate parking available. Attorney Onorato stated that Volpe should request a Waiver. Mr. Rieker reported that they have submitted a letter in this regard. Mr. Perrone stated that he will put this on the Agenda for approval at next week's Public Meeting.

## 2. Planning Commission:

Mr. Perrone reported that last month the Montgomery County Planning Commission came in during the Township's Planning Commission meeting and gave a brief presentation on the new comprehensive plan. He stated that the Planning Commission Members were informed about training opportunities that are available through the County, and the Members were very interested in attending. Mr. Perrone reported that some of the training sessions are free and some cost \$90.00. He questioned the Board as to whether the Township should Budget \$500 for training and send half the Members or \$800 for training and send all the Members. The Board concluded that \$800 should be Budgeted for all the Members to attend training.

## 3. Village Tea House:

Mr. Rieker stated in order for the Applicant to occupy the Village Tea House with the requested 40 seats, she received approval from the Fire Marshal. He reported that the Applicant also needs to provide offsite Parking Agreements. He noted one is with Shafer which is currently being used and is short-term until Cottage Avenue is developed, and the second one is for the church across the street because there is shared activity on that lot with Pizza Time (formerly McFees).

Attorney Onorato stated right now the Applicant is approved for 31 seats and she needs 7 parking spaces offsite which is why she is using the Shafer property. He explained that the Applicant wants to go to 40 seats, and she needs a total of 10 offsite parking spaces to do it. He noted that she currently has an Agreement with Shafer for 15 parking spaces, but when the Cottage Avenue development is built she will lose the Agreement. He reported that the church gave the Applicant an identical agreement as Shafer for up to 15 parking spaces as long as they are not parking right next to the church on Sundays. He stated the only problem is that there is a separate Agreement that is recorded with the church and McFees which is now Traves (Pizza Time) that states that Traves has the right to use the parking lot as well. It is not exclusive, but it was done so that McFees now Traves could expand the banquet room upstairs and have enough parking to meet the Township's Ordinance requirements. Since then, Traves opened up the outside dining area and the upstairs became a game room, and the Township has allowed them to continue with the arrangement with the church. He stated the only problem he sees is after the Shafer Parking Lot Agreement terminates, if Traves is very busy and using the church parking

lot and the Village Tea House is having a special event and needs to use the church parking lot, there could be a conflict with not having enough spaces at the church. The Township could request that the Applicant and Pizza Time make an arrangement that the Applicant have the spaces available just for her at certain times of the day. The Township could tell the Applicant that she cannot use the parking lot at certain times, or the Township could tell the Applicant that the Parking Lot Agreement is not sufficient. Mr. Kroberger noted presently the Village Tea House, Pizza Time, and the church's hours do not conflict with each other. Attorney Onorato reported that the Applicant has noted there could be a conflict on Friday nights when she is having a special event. There was discussion about the church leasing to a Day Care Center. It was decided that it would have no effect on parking.

Mrs. Edelmayer questioned how many parking spaces are on the church parking lot. Attorney Onorato reported 54. Mrs. Edelmayer noted and the Applicant needs 10 of them. She then questioned how many spaces are in the Agreement with Pizza Time. Attorney Onorato reported they can use the entire parking lot except for 10 spaces on Sunday morning when church is in service. Mr. Rieker stated the Use and Occupancy Permit that was issued to Pizza Time when they opened the outdoor dining assumes that 40 of the church parking spaces will be available when needed. He reminded that the only conflict he sees is the occasional Friday night when the Tea House is having a special event. Attorney Onorato explained if the Board wants to approve the Agreements, they need to accept the church's proposal to offer the adjacent parking. He suggested that the Board approve a Resolution that states the church is going to offer a minimum of 10 parking spaces offsite at a location to the satisfaction of the Township staff. Mr. Rieker noted that if the Applicant loses the church Parking Agreement at any time, she will need to come back to the Township for another type of parking approval because she will receive a Cease and Desist Notice.

## **ENGINEERING**

### **4. Report by T&M Associates (Updates):**

- GIS Development (Sugar Valley)/Equipment Received/Hire Summer Intern

Mr. Lapinski reported that Mr. Currie and Mr. Hegedus are being trained on the survey device. They are working with T&M to make it user friendly, and they are being trained on the software to convert the data to a usable form.

- Gwynedd Manor Road Curb Line Drainage Problem – Done/Ultimate cure spring 2016

Mr. Lapinski reminded that the ultimate repair for Gwynedd Manor Road curb line drainage problem will take place in the spring. He noted that he has not received any complaints over the winter.

- Revised TMDL Part 1 Strategy and Part 2 Design Details Submission

Mr. Lapinski reported that Part 2 Design Details were submitted in December to DEP for approval.

- North Penn School District Pennbrook Basins. (Set up meeting)

Mr. Perrone reported that they met with North Penn School District (NPSD) and presented final design on the two basins that the Township will be building on their property. He noted that now the designs are subject to their comments, and he and Mr. Benner will be attending a Committee meeting later in the month. He stated that NPSD will be sending an Easement Agreement to Attorney Onorato. Attorney Onorato reported that Mr. Benner is working on the plot plan and descriptions.

Mr. Perrone noted that T&M is also working with PECO on Easements that the Township needs from them.

Mr. Lapinski questioned Mr. Perrone as to when he would like to have the next meeting with the residents. Mr. Santi noted this is the time of year when people are home. Mr. Perrone stated that he would like to wait until after the meeting with NPSD to make sure everyone is on the same page.

### **5. Ordinance No. 2016-005:**

Mr. Lapinski reported that Ordinance No. 2016-005 amends the provisions for the FP Floodplain District set forth

in Chapter 195, Article V, Section 195-24 of the Township Code by identifying a current revision of the flood insurance study and accompanying flood insurance rate maps which, in part, define the areas of the Floodplain District by revising the new construction date to which the Ordinance is applicable, by eliminating reference to special permits and by expanding the prohibition of activities in floodplain areas to include hospitals, nursing homes, malls or prisons and recreational vehicles. This Ordinance was advertised on February 6, 2016 and February 13, 2016.

He noted this is amending the zoning code in the Floodplain District and it is in response to the new flood insurance rate maps being adopted by the federal government effective March 2, 2016.

6. **Ordinance No. 2016-006:**

Mr. Lapinski reported that Ordinance No. 2016-006 amends Chapter 103 of the Township Code of Ordinances dealing with flood damage control by correcting a date for new construction to which the Ordinance applies and by eliminating reference to a special permit. This Ordinance was advertised on February 13, 2016.

Mr. Lapinski reported that Ordinance No. 2016-006 is related to Ordinance No. 2016-005 and is making it consistent with flood damage control by correcting a date.

7. **Ordinance No. 2016-003:**

Mr. Lapinski reported that Ordinance No. 2016-003 amends Chapter 109 of the Township Code to eliminate inconsistencies regarding permitted steepness of slopes of excavations and fills and changing the requirement for a stormwater management plan for activities involving more than 2,000 sq. ft. of new impervious coverage to 1,000 sq. ft. of new impervious coverage. This Ordinance was advertised on February 5, 2016.

Mr. Lapinski reported that Ordinance No. 2016-003 is related to Ordinance No. 2016-005 and eliminates inconsistencies regarding grading.

8. **Ordinance No. 2016-007:**

Mr. Lapinski reported that Ordinance No. 2016-007 amends Chapter 162 of the Township Code of Ordinances dealing with stormwater management to limit the applicability thereof in certain respects to earth disturbance activities located within the Skippack Creek Watershed and changing the requirement for minimum cover over storm sewer pipes from 2 feet to 18 inches from finished grade to outside of pipe bell. This Ordinance was advertised on February 13, 2016.

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9. **Ordinance No. 2016-008:**

Mr. Lapinski reported that Ordinance No. 2016-008 revises the Title and Section numbers of Chapter 163 of the Township Code of Ordinances limiting the applicability thereof to the Skippack Creek Watershed and transferring the Chapter to Chapter 161 of the Code. This Ordinance was advertised on February 13, 2016.

Mr. Lapinski reported that Ordinance No. 2016-008 revises and transfers Chapter 163 to Chapter 161 for the Skippack Creek Watershed.

10. **Ordinance No. 2016-009:**

Mr. Lapinski reported that Ordinance No. 2016-009 adds a Chapter 163 to the Township Code of Ordinances relating to stormwater management for the Wissahickon Creek Watershed. This Ordinance was advertised February 13, 2016.

Mr. Lapinski reported that Ordinance No. 2016-009 is the new stormwater management Ordinance for the Wissahickon Creek Watershed. He noted that there is already a standalone Ordinance for the Neshaminy Creek Watershed, and now this will be a standalone Ordinance for the Wissahickon Creek Watershed.

## FINANCE/PERSONNEL/ADMINISTRATION

### 11. Act 101 Recycling Program Performance Grant received from 2013:

Mr. Perrone reported that the Township received notification from PennDOT that \$53,700 will be received for the Act 101 Recycling Program Performance Grant for 2013. He noted this was for 5,393.7 tons of residential and commercial materials recycled. He reported the 2012 amount was \$63,975, but the tonnage information was not available. Mr. Perrone reported that he is requesting a list from the County of all the recycling companies on file, and he will send a letter to them to make sure that anyone picking up in Upper Gwynedd is registered with the Township. Mrs. Edelmayer stated that she would like to get lists from the haulers as to what they are recycling because sometimes it can be unclear. Mr. Perrone reported the Township's Ordinance states glass of all colors, aluminum, and newspaper, but the haulers will take other things. Mr. Santi suggested requesting the haulers provide the Township with a website that can be given to the residents so they can get the list of recyclable materials.

### 12. IDA 2016 Contribution of \$10,000:

1. Police Dept. Crime Scene Camera: \$3,803.38
2. Public Works Dept. New Two-Way Radios: \$4,500.00
3. Parks & Recreation Dept. High Resolution Camera: \$1,129.95
4. Finance & Administration Dept. partial funding Public Meeting Room upgrade: \$566.67

Mr. Perrone reported that the IDA asked the Department Heads to request something that is not in their Budget that would be of good use to their Departments. Then the IDA votes on the submissions. Mr. Perrone stated that Nos. 1 through 4 above are the results of the IDA votes. Mr. Santi questioned whether or not anyone is working on the upgrades to the Public Meeting Room. Mr. Kroberger stated he would like to get started on that project.

### 13. Commonwealth recommendation that Municipalities have written procedures for hiring consultants for Pension Plans: (Possible Resolution in March)

Mr. Brill reported that Act 44 from the state recommends that each municipality that receives state aid to offset their pension costs should adopt a formal procedure for hiring a consultant to provide services for their Pension Plans. He reported that he is presently going through the audit with the state on the Non-Uniform Pension Plan and the Police Pension Plan. He reported that the state auditor will give him a sample Resolution that the Township can review. He noted that he is also reached out to surrounding municipalities to see what they have done so far. He noted it is not a requirement but it is a recommendation to adopt this Resolution.

### 14. Resolution No. 03-2016:

Mr. Perrone reported that the Montgomery County Public Works Association is celebrating its 50<sup>th</sup> Anniversary, and they are asking municipalities to adopt a Resolution recognizing and congratulating them.

## PUBLIC WORKS/PARKS/RECREATION

### 15. T&M Associates:

Mr. Perrone stated the Township received a Proposal for Site/Civil/Landscape Architectural Services for the development of two new pickleball courts at Parkside Place Park in the amount of \$15,119. He noted that the Township received a second proposal and the cost difference was minimal. It was noted that this proposal is strictly for design and inspection work during construction. Mrs. Edelmayer questioned the amount that was budgeted for the project. Mr. Brill reported \$60,000 was budgeted for 2016.

## PUBLIC SAFETY

16. **Ordinance No. 2016-004:**

Mr. Perrone stated that Ordinance No. 2016-004 amends Section 185-6 of the Township Code to change the speed limit on West Point Pike between Moyer Boulevard and Oak Street from 35 mph to 25 mph. This Ordinance was advertised on February 8, 2016, and is ready for approval.

17. **Heinrich & Klein Associates, Inc.:**

- A. Installation of Temporary Multi-Way Stop-Signs (with flash temp): \$2,500.00
- B. Proposal for Traffic Signal Design Services: \$15,700.00  
(Includes traffic count data and complete volume/capacity analysis for the intersection of DeKalb Pike and Sumneytown Pike for the purpose of coordination of traffic signal controllers, etc.)

Mr. Perrone stated the Township received two proposals from Heinrich & Klein Associates, Inc. in regard to the Sumneytown Pike and Swedesford Road intersection. He noted that one is for the installation of temporary multi-way stop signs in the amount of \$2,500, and the other is for traffic signal design services in the amount of \$15,700. He noted that the cost for this project will be shared between Upper and Lower Gwynedd Townships because it is a shared intersection, and the County may also contribute towards the project because it is a County road. Mr. Perrone noted that Mr. Comunale from Lower Gwynedd is taking the lead in speaking with the County in regard to the possible cost sharing. He stated that it is important that this project be supervised by an Engineer because of some sightline problems at the intersection. Police Chief Duffy reminded that an Ordinance needs to be amended in regard to the stop signs.

18. **Corpus Christi 5<sup>th</sup> Annual 5k Race:**

Mr. Perrone reported that the Corpus Christi 5<sup>th</sup> Annual 5k Race is scheduled for Saturday, April 16, 2016, at 8:00 AM. 8<sup>th</sup> grade teacher James McGovern uses this race as a fund raiser and organizational experience for students at Corpus Christi. Mr. McGovern has agreed to provide resident notification along the route and Sergeant Gillen will post lawn signs the week before the race. Sergeant Gillen will coordinate with Mr. Troxel to have cones and barricades at key points on the course to assist with traffic control. There will be no road closures. One regularly scheduled officer will be used to cross runners at Supplee Road and Garfield Avenue, and the remainder of the intersections will be handled by volunteers provided by the director. The duration of the event will be less than one hour. Approximately 50 runners are expected.

19. **Penn-Suburban Chamber of Commerce 5 mile Run (Broad Street Re-Run):**

Mr. Perrone reported that Penn-Suburban Chamber of Commerce 5 Mile Run (Broad Street Re-Run) is a fund raiser for high school scholarships. The race is scheduled for 8:00 AM on Saturday, May 14, 2016. Using Merck's parking lot adjacent to Building 96 as start and finish area. The route would head out of the lot and travel north bound on South Broad Street eventually turning around in the area of South Broad and Whites Road. The route would then turn around and continue south to Hartley Place where it would continue into the cul-de-sac and then head back to the start/finish line on Merck property. Sergeant Gillen will coordinate with Mr. Troxel for cones and barricades and assist with traffic control. Lawn signs will be posted in advance. Volunteers will assist with minor intersections and fire police will assist with coverage of major intersections. There are no planned road closures. A lane of about 5-10 feet wide along the west side of the street will be used for runners. The duration of the event should be less than 90 minutes.

20. **Laurel Houses' 17<sup>th</sup> Annual 5k Dash Against Domestic Violence:**

Mr. Perrone stated the Laurel Houses' 17<sup>th</sup> Annual 5k Dash against Domestic Violence is scheduled for Sunday, October 23, 2016. In 2014, the race was changed to begin at 8:30 instead of 9:00 and run in reverse from prior years. This permits the runners to enter and exit Clover Crest in a much tighter group reducing the impact on the neighborhood. This change will be maintained for 2016. Mr. Kaker has reserved the pavilion area for this event. Approximately 300 runners are expected. The event is organized by Jenny Boyer of Lauren House. It uses the pavilion and Township parking areas as the start and finish area. The Police Department will coordinate

with Mr. Troxel to provide cones and barricades at key points and to assist with traffic control. There will be no road closures. One regularly scheduled officer will be used to cross runners at North Wales Road. North Wales Police Department has covered the Walnut Street crossing in preceding years. The remainder of the intersections will be handled by volunteers provided by the director. All runners should be off the course within an hour.

Police Chief Duffy noted that Sergeant Gillen spends a lot of time with the race coordinators going over all the race information before it comes before the Board.

## **WASTEWATER TREATMENT**

### **21. Video Pipe Services, Inc. Application for Payment No. 1:**

Mr. Perrone stated that Video Pipe Services, Inc. submitted Application for Payment No. 1 in the amount of \$43,200 for the spot repairs project in the Gwynedd Gardens development which needs to be approved at next week's meeting.

### **22. Video Pipe Services, Inc. Change Order No. 001:**

Mr. Perrone stated that Video Pipe Services, Inc. submitted Change Order No. 001 in the amount of a \$7,300 credit for the spot repairs project in the Gwynedd Gardens development which should be approved at next week's meeting.

### **23. Video Pipe Services, Inc. Application for Payment No. 2 and Final:**

Mr. Perrone stated that Video Pipe Services, Inc. submitted Application for Payment No. 2 and Final in the amount of \$22,150 for the spot repairs project in the Gwynedd Gardens development which needs to be approved at next week's meeting.

### **24. Swedesford Road Pipe Bursting and Spray Lining of Manholes Bid:**

Mr. Perrone reported that the pipeline on Swedesford Road needs to be repaired and at the last Inflow and Infiltration Meeting it was recommended to use the pipe bursting technique. Mr. Lapinski explained the pipe bursting process and explained that the broken material is absorbed into the surrounding excavations. Mr. Perrone noted that at this point the Board needs to authorize the preparation and advertising of the Pipe Bursting and Spray Lining of the Manholes Bid.

### **25. TMA Capital Projects Fund - January Vouchers for Review:**

- A. Univest Bank and Trust Co.  
Upper Gwynedd Towamencin Municipal (Statement Period 1/01/16-1/31/16)  
Current Balance: \$341,087.85
- B. Bursich Associates: \$1,810.06  
Engineering Fees
- C. Almeida & Hudak: \$169.03  
Invoice No. 9849  
Valley Forge Road Permanent Meters

Mr. Perrone reminded that 25A, 25B, and 25C are items that Mr. Interrante tracks in regard to the Towamencin Municipal Authority.

There being no further business for public discussion, the meeting was adjourned at 7:49 PM to Executive Session.

Respectfully submitted,

Krista M. Caracausa  
Recording Secretary

**Approved March 28, 2016**