

MINUTES OF PUBLIC MEETING

July 25, 2016

KENNETH E. KROBERGER, PRESIDENT
Finance/Personnel/Administration

1. CALL TO ORDER.

The July 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
Steven C. Sands	Commissioner
Leonard T. Perrone	Township Manager
David Brill	Finance Director
David W. Duffy	Police Chief
David C. Onorato	Township Solicitor
Russ Benner	Township Engineer
John Pichelman	Court Reporter

Mr. Kroberger closed the Public Meeting and opened the Public Hearing.

Court Reporter John Pichelman will provide the Township with a transcript of the Public Hearing.

2. Public Hearing

The purpose of the hearing is to hear comment concerning amendment of the zoning map attached to and incorporated in Chapter 195 of the Code of the Township of Upper Gwynedd, changing the zoning classification of a tract of land containing 8.3898 acres from R-2 Residential to R-4 Residential for a tract known as Newbury-Phase II situated between Farm Lane and Hancock Road.

Exhibits:

- T1: Proof of Publication
- T2: Ordinance 2016-014
- T3: UGT PC Recommendation Letter dated March 9, 2015
- T4: UGT PC Minutes dated March 2, 2015
- T5: Montco PC Recommendation Letter dated September 2, 2014
- T6: Woodrow Associates Legal Description
- T7: Declaration of Covenants and Restrictions
- T8: Verification of Posting Notice dated July 14, 2016
- T9: List of neighbors who were notified of hearing

Mr. Santi motioned to closed the Public Hearing. Seconded by Mr. Duffy, the hearing was closed.

Mr. Santi opened the Public Hearing.

Court Reporter John Pichelman will provide the Township with a transcript of the Public Hearing.

3. Public Hearing

The purpose of this hearing is to consider an Application for Conditional Use approval for the removal of an existing concrete plant and auto mechanic shop and the construction of 22 single family semi-detached homes on a 3.88 acre parcel located on the southeast side of Cottage Avenue.

Exhibits:

- T1: Proof of Publication
- T2: Application for Conditional Use
- T3: Montco PC Recommendation Letter dated July 22, 2016
- T4: Verification of Posting dated July 19, 2016
- T5: List of neighbors who were notified of hearing

Mr. Santi motioned to close the Public Hearing. Seconded by Mr. Sands, the hearing was closed.

4. **MOTION TO APPROVE THE MINUTES OF THE WORKSHOP MEETING HELD ON WORKSHOP MEETING HELD ON JUNE 21, 2016.**

Mr. Kroberger noted that the Workshop Minutes were received with the Agenda packet. Hearing no questions or comments, upon motion of Mr. Duffy, seconded by Mr. Santi, the Minutes of the June 21, 2016, Workshop Meeting were approved as presented.

5. **MOTION TO APPROVE THE MINUTES OF THE PUBLIC MEETING HELD ON JUNE 27, 2016.**

Item No. 5 will be held over to next month.

6. **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 Mr. Santi, seconded by Mr. Sands, the Departmental Reports were approved as submitted.

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

There were none.

8. **RECOGNITION OF RAYMOND T. ROYDS, JR. FOR 15 YEARS OF SERVICE TO THE TOWNSHIP. (NOT ATTENDING)**

Mr. Kroberger stated that Ray Royds is being recognized for 15 years of service to the Police Department. Police Chief Duffy noted that he has been a Detective for the Department for a very long time. He is very skilled, very patient, and very detail oriented. He is a great asset to the Police Department.

9. MOTION TO APPROVE RESOLUTION 16-2016 REQUESTING AN AMENDMENT TO THE STERLING ACT TO REQUIRE THAT UP TO 1% OF PHILADELPHIA WAGE TAX PAID BY NON-RESIDENTS OF PHILADELPHIA BE REMITTED TO THE MUNICIPALITY IN WHICH THE TAXPAYER RESIDES.

Mr. Kroberger read Item No. 9 above. The Township is simply asking that the 1% that Philadelphia is collecting from the residents from Upper Gwynedd who work within the City of Philadelphia be refunded back to Upper Gwynedd. Mr. Santi explained that this in support of an effort in Harrisburg being done by State Senators. He reported this has been happening since 1938 so they just want to begin moving forward, they are not trying to recover any money.

Mr. Santi motioned to approve Resolution 16-2016 requesting an amendment to the Sterling Act to require that up to 1% of Philadelphia wage tax paid by non-residents of Philadelphia be remitted to the municipality in which the taxpayer resides. Seconded by Mr. Duffy, this Resolution was approved.

M. CLARE EDELMAYER, VICE PRESIDENT
Public Works/Parks/Recreation

10. RECOGNITION OF MERCK & CO., INC. FOR A \$25,000 ACTIVITY SUPPORT GRANT.

Mrs. Edelmayer recognized representatives from Merck & Co., Inc. Ms. Bednarik and Mr. Landis for the generous donation of a \$25,000 Activity Support Grant to the Parks and Recreation Department. She asked them to extend the thank you to upper management for their support of the Township.

11. MOTION TO APPROVE MERCK SHARP & DOHME PARKING LOT AGREEMENT FOR THE TOWNSHIP'S CARNIVAL SCHEDULED TO BE HELD SEPTEMBER 8 THROUGH SEPTEMBER 11, 2016.

Mrs. Edelmayer stated that she also wants to thank Merck for allowing the Township to use its parking lot every year for the Carnival. Mrs. Edelmayer motioned to approve Merck Sharp & Dohme Parking Lot Agreement for the Township's Carnival scheduled to be held September 8 through September 11, 2016. Seconded by Mr. Sands, this Agreement was approved. It was noted that without the parking area, the Carnival event would not be able to take place.

12. MOTION TO APPROVE COMMONWEALTH FINANCING AUTHORITY – MULTIMODAL TRANSPORTATION FUND GRANT APPLICATION FOR CURB AND SIDEWALK EXTENSIONS FROM WEST POINT VILLAGE TO MOYER BOULEVARD. THIS MOTION INCLUDES THE APPROVAL OF RESOLUTION 17-2016 AND A FINANCIAL COMMITMENT LETTER.

Mrs. Edelmayer reported that the Township is applying for a Grant to improve curbs and sidewalks in the Village of West Point from West Point Pike around the Church and over the railroad Tracks.

Mrs. Edelmayer motioned to approve Commonwealth Financing Authority – Multimodal Transportation Fund Grant Application for curb and sidewalk extensions from West Point Village to Moyer Boulevard. This motion includes the approval of Resolution 17-2016 and a financial commitment letter. Seconded by Mr. Duffy, this Grant Application was approved.

13. MOTION TO APPROVE THE PREPARATION AND ADVERTISING OF THE ANNUAL SNOW PLOW BID.

Mrs. Edelmayer motioned to approve the preparation and advertising of the annual Snow Plow Bid. Seconded by Mr. Sands this motion was approved.

14. MOTION TO AWARD THE PENNBROOK WATER QUALITY BASINS REBID TO HORST

EXCAVATING OPTION #4 IN THE AMOUNT OF \$920,967.55.

Mrs. Edelmayer reported with the help of T&M Associates, the Township has come up with designs for three basins to handle the water runoff problems that some residents have been experiencing. She noted that two of the basins will be on Pennbrook Middle School's property and one will be on the Township's triangular property on North Wales Road and Hancock Road.

Mr. Benner explained the Bid had alternatives and as a result there were six different options that the Township could choose depending on how the bids were received and how the pricing was submitted. He stated the Bid that the Township is choosing to award from Horst is Option 4 where the material that is excavated from the school and the Township basins will be taken over to Pennfield Middle School site to be used for athletic field development, and there will be an observation deck constructed in Basin 1 which will be used for environmental education for the Middle School students. It was noted that although the Township has not used Horst as a contractor in the past, they just completed a \$1.5M trail project for T&M and they are excellent contractors.

Mrs. Edelmayer motioned to award the Pennbrook Water Quality Basins Rebid to Horse Excavating Option No. 4 in the amount of \$920,967.55 subject to a Notice to Proceed to be issued by the Township. Seconded by Mr. Duffy, this bid was awarded.

15. DISTRIBUTION OF PRESS RELEASE. THE TOWNSHIP RECEIVED TWO GRANTS FOR THE PENNBROOK WATER QUALITY BASINS PROJECT, AS FOLLOWS:

- A. Commonwealth Finance Authority \$274,000
- B. Commonwealth of PA Growing Greener \$305,000

Mrs. Edelmayer read the following Press Release:

"In May, the Township received notice from the Commonwealth of Pennsylvania that it had received a grant in the amount of \$305,000 from the Growing Greener Fund. In addition, on July 1, 2016, the Township received a second piece of great news that it had been awarded an additional grant from the Commonwealth Finance Authority in the amount of \$274,000. These two grants totaling \$579,000 will be used towards funding the construction of three Water Quality Basins at or near the intersection of North Wales Road and Hancock Road. These basins will help to eliminate downstream flooding conditions that are experienced by property owners living in the Dickerson Road neighborhood. In addition, these basins will serve to improve water quality in the upper reaches of the Wissahickon Creek. The Township recently received bids for this project. It is anticipated that the project will be awarded at the July Public Meeting of the Board of Commissioners. A Public Meeting will be held with neighboring property owners to explain the project and its construction timeline. The Township wishes to thank the North Penn School District for its cooperation in providing land necessary to construct two of the three basins. The Township appreciates the support provided by State Senator Stewart Greenleaf and State Representative Kate Harper in acquiring these grants."

Mrs. Edelmayer reported that the Budget in Public Works for this project was around \$500,000. She noted that right now the Township is a little over Budget by \$300,000. Mr. Perrone thanked Mr. Benner and T&M Associates for their work on the Grant and Mr. Lapinski for his work on the Project. Mr. Benner reported that Jerry Jameson who is T&M's Grant Writer does a fabulous job. He reported that over the last 10 years, he has obtained over \$8M in grants for their clients.

16. MOTION TO RATIFY NOR-GWYN BASEBALL AND SOFTBALL REQUEST FOR THE USE OF FIELD LIGHTING AT NOR-GWYN UNTIL 12:00 MIDNIGHT, IF NEEDED, AS FOLLOWS:

- A. Tuesday, July 12 – Sunday, July 17 Bux-Mont Connie Mack Baseball Tournament
- B. Monday, August 1 – Monday, August 9 Perky League Baseball Championship Series

Mrs. Edelmayer motioned to ratify Nor-Gwyn Baseball and Softball's request for the use of field lighting at Nor-Gwyn until 12:00 midnight, if needed for Tuesday, July 12, through Sunday, July 17, for the Bux-Mont Connie Mack Baseball Tournament and Monday, August 1, through Monday, August 9, for the Perky League Baseball Championship Series. Seconded by Mr. Santi this motion was approved.

It was noted that the Township did not receive any complaints on the first event.

JAMES A. SANTI
Zoning/Planning

17. MOTION TO APPROVE ORDINANCE 2016-014 AMENDING THE ZONING MAP ATTACHED TO AND INCORPORATED IN CHAPTER 195 OF THE CODE OF THE TOWNSHIP OF UPPER GWYNEDD, CHANGING THE ZONING CLASSIFICATION OF A TRACT OF LAND CONTAINING 8.3898 ACRES FROM R-2 RESIDENTIAL TO R-4 RESIDENTIAL.

This item is being tabled until next month.

STEVEN C. SANDS
Public Safety

18. RECOGNITION OF THE RESERVE AT GWYNEDD FOR THE DONATION OF \$1,500 TO THE DARE PROGRAM.

Mr. Sands thanked the Association and residents of the Reserve at Gwynedd for the donation of \$1,500 to the DARE Program. He reported that they allowed Officer Lynch to show the DARE car at their first Annual Car Show, and from the proceeds of the show the Reserve donated \$1,500 to further the DARE education program.

Police Chief Duffy reported there were three other people in attendance earlier from the Reserve but they needed to leave: Milly Seiberlich, Victoria Graves, and Lynne Cohen so he would like to thank them for coming too. Mr. Perrone thanked Gil Silverman who is also from the Reserve. Mr. Silverman stated since the County withdrew its support of the DARE Program, the residents were in favor of supporting it. Chief Duffy noted the state is also no longer funding of the program, and a lot of Departments had to do away with the program because they do not have the manpower to support it. He stated Officer Lynch and Sergeant Caiola from his Department rotate their schedules in order to support the DARE Program.

Mr. Kroberger introduced Mr. Anthony Santangelo from the Reserve. Mr. Santangelo introduced his wife Kathy and Fran Darby. Mr. Santangelo stated that the Board of Directors at the Reserve at Gwynedd just voted to continue to support the DARE Program next year and every June going forward at the Car Show. Chief Duffy thanked Mr. Santangelo for the support. Mr. Santangelo thanked Mr. Perrone and members of the Board for attending the Show. Mr. Perrone noted that Mr. Santangelo is a certified Car Show Judge.

Not on the Agenda:

Mr. Sands reported that the Police Department recently received an outpouring of thanks and appreciation for the good work that they do in the community. He stated there is a lot in the press about the struggles that the Police Departments are facing throughout the nation right now, and it is good to see that the Township residents do appreciate the good work that our Officers and the Department are doing, and I hope that we will see a lot more of this in the future. Mr. Sands thanked Police Chief Duffy and his entire Department for continuing to uphold a good impression within the community.

19. MOTION TO AUTHORIZE A TRANSFER OF TITLE OF A 2007 FORD EXPEDITION FROM THE POLICE DEPARTMENT TO THE FIRE DEPARTMENT.

Mr. Sands reported that the Police Department will be retiring two vehicles within the next 12 months, and one of those vehicles is a 2007 Ford Expedition. He reported that Fire Chief Sharkey has expressed an interest in utilizing the Expedition for their services so the Board is going to authorize the transfer of the Title from the Police Department to the Fire Department.

Mr. Sands motioned to authorize the transfer of Title of a 2007 Ford Expedition from the Police Department to the Fire Department. Seconded by Mrs. Edelmayer, this transfer was approved.

20. MOTION TO APPOINT SERGEANT STEPHEN GILLEN TO THE POLICE PENSION BOARD TO FILL THE UNEXPIRED TERM OF SCOTT C. CLARK. THIS TERM WILL EXPIRE ON DECEMBER 31, 2016.

Mr. Sands stated Item No. 20 is an administrative item. Mr. Sands motioned to appoint Sgt. Stephen Gillen to the Police Pension Board to fill the unexpired term of Scott C. Clark. The term will expire on December 31, 2016. Seconded by Mr. Duffy, this appointment was approved.

21. MOTION TO APPROVE ORDINANCE 2016-013 AMENDING CHAPTER 190, SECTION 190-1 OF THE TOWNSHIP CODE OF ORDINANCES TO PROVIDE FOR ISSUANCE OF A CITATION AND RELEASE FOLLOWING WARRANTLESS ARRESTS.

Mr. Sands reminded that last month the Board authorized the preparation and advertising of an Ordinance amending the Code of Ordinances to provide for issuance of a Citation and Release following warrantless arrests. He reported it was prepared, and it was advertised appropriately both in print and online and it is ready to be approved.

Mr. Sands motioned to approve Ordinance 2016-013 amending Chapter 190, Section 190-1 of the Township Code of Ordinances to provide for issuance of a Citation and Release following warrantless arrests. Seconded by Mr. Santi, this Ordinance was approved.

22. MOTION TO APPROVE THE 2ND ANNUAL GWYNEDD SQUARE ELEMENTARY FUN RUN/WALK SCHEDULED FOR OCTOBER 22, 2016, AT 8:00 AM. THE EVENT STARTS AND ENDS AT GWYNEDD SQUARE ELEMENTARY SCHOOL. ATTENDANCE IS ESTIMATED TO BE 100 PARTICIPANTS. SGT. GILLEN WILL COORDINATE WITH MR. TROXEL FOR CONES AND BARRICADES AT KEY POINTS ON COURSE. THERE WILL BE NO ROAD CLOSURES. ONE SCHEDULED OFFICER WILL CROSS RUNNERS AT SUPPLEE ROAD AND GARFIELD AVENUE. OTHER INTERSECTIONS WILL BE HANDLED BY VOLUNTEERS PROVIDED BY THE RACE DIRECTOR.

Mr. Sands reported that Item No. 22 will run like the Corpus Christi events have in the past, and Sgt. Gillen has approved the event pending Board approval. Mr. Sands motioned to approve the 22nd Annual Gwynedd Square Elementary Fun Run/Walk scheduled for October 22, 2016, at 8:00 AM. The event starts and ends at Gwynedd Square Elementary School. Attendance is estimated to be 100 participants.

Sgt. Gillen will coordinate with Mr. Troxel for cones and barricades at key points on course. There will be no road closures. One scheduled Officer will cross runners at Supplee Road and Garfield Avenue. Other intersections will be handled by volunteers provided by the race Director. Seconded by Mrs. Edelmayer, this run/walk was approved.

THOMAS A. DUFFY

Wastewater Treatment

23. MOTION TO APPROVE ORDINANCE NO. 2016-012 AUTHORIZING AND FILING OF A DECLARATION OF TAKING FOR THE PURPOSE OF THE CONSTRUCTION OF A SEWAGE PUMP STATION AND ASSOCIATED APPURTENANCE. (1622 VALLEY FORGE ROAD)

Mr. Duffy reported that Item No. 23 is in regard to the Township's Wastewater Diversion Project from the current Towamencin Municipal Authority. Mr. Duffy motioned to approve Ordinance No. 2016-012 authorizing and filing of a Declaration of Taking for the purpose of the construction of a sewage Pump Station and associated appurtenances at 1622 Valley Forge Road. Seconded by Mr. Santi, this Ordinance was approved.

Mrs. Edelmayer noted that this is a friendly Declaration of Taking.

24. MOTION TO APPROVE C B STRUCTURES, INC. APPLICATION FOR PAYMENT NO. 3 AND FINAL IN THE AMOUNT OF \$9,226.80 FOR THE WASTEWATER TREATMENT PLANT GARAGE PROJECT.

Mr. Duffy read Item No. 24 above. He reported the total Contract was \$74,268. Mr. Duffy motioned to approve CB Structures, Inc. Application for Payment No. 3 and Final in the amount of \$9,226.80 for the Wastewater Treatment Plant Garage Project. Seconded by Mr. Sands, this payment was approved.

OTHER BUSINESS

25. APPROVAL OF THE JULY, 2016, BILLS.

Mr. Kroberger noted that the Board had received a copy of the General fund bills. Hearing no questions, upon motion by Mr. Duffy, seconded by Mr. Santi, the General Fund bills for July 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 Mrs. Edelmayer, seconded by Mr. Sands, 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 Mr. Sands, the Board unanimously approved the pre-paid invoices.

26. CALL FOR ADJOURNMENT TO EXECUTIVE SESSION.

There being no further business, upon motion by Mr. Sands, seconded by Mr. Duffy, the meeting was adjourned to Executive Session at 9:32 PM.

Respectfully Submitted,

Leonard T. Perrone
Secretary

/kmc

Approved September 26, 2016